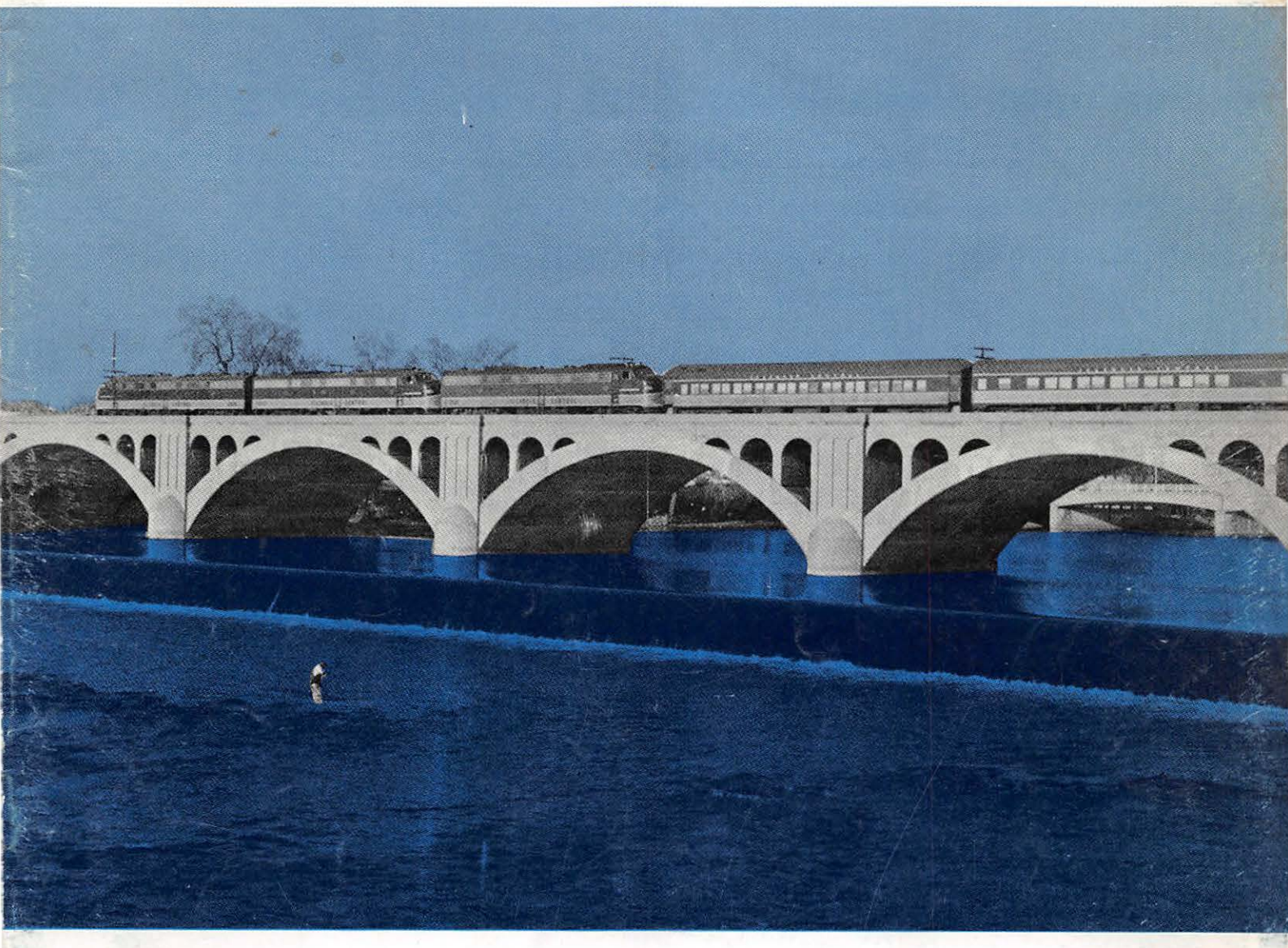
The Signalman's JOURNAL

JUNE 1971



President C. J. Chamberlain's Message

Congress Ends Signalmen's Strike

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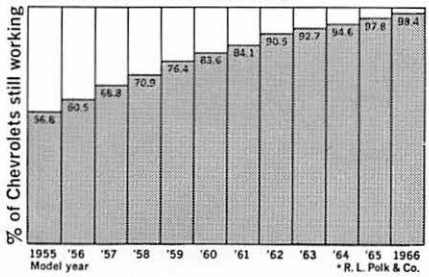

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Journal Cover Photo

Illinois Central Railroad's Old No. 8, the Illini, crossing the Kankakee River en route to Chicago on its final run from Carbondale before Amtrak took over May 1.

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POSTMASTER'S NOTE: Please report all undeliverable magazines to The Signalman's Journal, 2247 Lawrence Ave., Chicago, Ill. 60625 on Form 3579.
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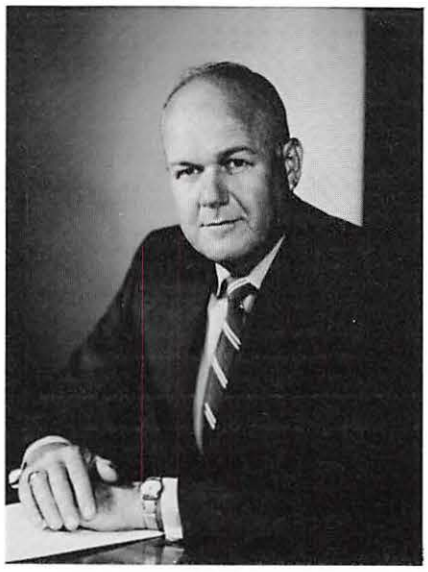
A Message From President C.J. Chamberlain

THE NATIONAL RAILROAD strike called by the Brotherhood of Railroad Signalmen against the majority of the railroads in the United States at 6:00 a.m. on May 17, 1971, and brought to a conclusion around 11:00 p.m. on May 18, because of the enactment by Congress of Public Law 92-17, is now history. However, the issues which caused the strike still remain unresolved and once again another railroad labor union, this time the Brotherhood of Railroad Signalmen, has been denied justice. Once again the railroads of the United States have been bailed out of a labor management dispute by Congressional intervention and action. Once again railroad workers have been forced to return to work and denied their Constitutional right of exercising their economic strength against an industry in the so-called free enterprise system.

Once again the news media of our country, primarily press editorials, did their bit by expressing utter shock that 13,000 people could create such massive inconvenience and threaten to bring a nation to its knees. The editorials used such words as "tragedy," "outrageous," "economic blackmail," "unbridled arrogance," "incredible," and the like. Once again the editorial writers of the nation's press and numerous columnists shot from the hip and without giving the slightest consideration as to the issues, their merit, and the right of the railroad workers, they proceeded to tear the Brotherhood of Railroad Signalmen, its officers and members, from limb to limb and branded us as irresponsible individuals who could care less about the public interest.

I have yet to read an editorial that even slightly inferred or mentioned in any way the dilemma that the railroad worker in the United States faces when he attempts to gain economic justice through collective bargaining in improved wages and working and living conditions on the nation's railroads.

I have yet to read an editorial which indicated that the writer even attempted to check out the facts or the background of the dispute and endeavored to find out just what the circumstances were that forced 13,000 members of our union to take on an entire industry.



I have yet to read an editorial questioning whether railroad management might be at fault because they did not bargain sincerely or meaningfully on the issues. I have yet to read an editorial where the writer took time to check out or mention our charges of substandard living conditions in the camp cars assigned to signal construction forces. I have yet to read an editorial where the writer took time to check out the different working conditions of our craft that are for the most part unique to our craft. I have yet to read an editorial where the writer even remotely suggested that rates of pay for skilled signal employes might be a little low when compared to comparable skilled employes in outside industry.

Not once did the editorials correctly state the amount of wage increases imposed by Congress on signal employes. The editorials stated incorrectly that signal employes were granted a 13½% increase in wages. The facts are that the interim increase imposed for skilled employes, mechanics and above, was 12.8% and for assistants and helpers approximately 10.5%. Furthermore, the editorials led one to believe that the 13½% was fully retroactive to January 1, 1970, which it was not. Neither did the editorials state that increases offered by the railroad companies were less than those granted other railroad employes in other settlements.

We could go on and on about the inaccuracies, the omissions, the untruths, the slanted, distorted facts in the editorials that branded our members as unreasonable, irresponsible scoundrels who are hellbent for destroying or disrupting our country.

The sad performance by the editorial writers of our nation was further compounded when the Honorable Secretary of Labor James D. Hodgson in a speech before the Institute of Collective Bargaining and Group Relations, Inc. in New York on May 24, 1971, stated in connection with our May 17 strike and prior strikes of other railroad labor organizations in 1964, 1967 and twice in 1970, that "Media reaction was properly indignant." He further stated that "They reflected widespread public sentiment."

We could not disagree more with such statements. First, what law of the land makes an editorial writer's opinion gospel, and what authoritative basis is there for saying editorial views accurately reflect public opinion? Second, what is so incredible or appalling about 13,000 people using their economic strength in a labor management dispute? Is this to say that a small organization does not have the same right as a larger organization? Third, just who comprises the public interest? A check with the average man on the street will find that he disagrees with newspaper editorials more often than he agrees with them. Obviously, for the reason that they are generally written with biased prejudiced views and often without any basis of fact.

Who controls the nation's press? Certainly not the labor unions. Editorials consistently reflect management's viewpoint as after all, they are written by management people.

Retired Vice President D. C. Cone Has New Address

Retired Vice President D. C. Cone has notified the Journal that he has moved.

Brother Clint reports that he and Mrs. Cone are quite well and his general health is good.

Mail can be sent to him at the following address:

D. C. Cone
6200 Wilson Blvd., Apt. 719
Falls Church, Virginia 22044

What newspaper or other news media permits the voice of labor to be heard in its editorial policy.

The 13,000 members of the Brotherhood of Railroad Signalmen (the tiny group represents 2% of the railroad labor forces) which was frequently mentioned in the editorials and also in Mr. Hodgson's statements, should be increased to over 550,000 employes and their families (the total railroad labor force) because the battle the Signalmen fought for justice on May 17 and 18 and will continue to fight, is a fight for all railroad labor. It would also be appropriate to increase that figure by thousands of others in the labor force who resent discrimination against labor, who resent infringement on the rights of any segment of the American labor movement.

When you total the number of people who were directly and indirectly involved in our dispute, you will find that a large segment of the public was involved, a majority of whom do not agree that the strike situation on May 17 and 18 was such an "incredible incident."

We do believe that there are a number of factors present in our democratic society today that could be properly termed "incredible." To mention a few, the high unemployment rate, the high interest rates, the high cost of living, all of which are related directly to the uncertainty and unrest that exists in our country today.

All of the above factors and others previously mentioned, contributed to creating the national rail crisis on May 17 and 18, when the Brotherhood of Railroad Signalmen was forced to take drastic action as a last resort to seek economic justice and get our story told.

Mr. Hodgson, in his speech, correctly stated that collective bargaining is failing in the transportation industry and particularly in the railroad industry. Mr. Hodgson did not say why it is failing, but from our personal experience in our current wage and fringe benefit movement, I can tell you why. Collective bargaining requires sincere efforts on both sides to get an agreement by giving and taking, with *both* parties moving from their respective initial positions to a point where a reasonable, satisfactory agreement can be reached on the important issues. Collective bargaining cannot be successful if one party sets its feet in concrete and refuses to move as did the carriers in our current dispute. All of the movement was by the Brotherhood and the record and our testimony before the Senate and House Committee will bear this out. This deplorable situation will remain unless and until the Administration and Congress lets the carriers know that they will not intervene in railroad labor disputes. Then and only then will collective bargaining return to the scene. In the meantime, instead of the editors and the Administration pointing the finger of blame at the railroad unions, we suggest they place the blame where it belongs and that is with the carriers.

We hope that the Administration and the railroad industry have received our message, as we have no intention of giving up or letting up in our efforts until such time as we receive a satisfactory settlement of our just demands. We fervently hope that when we resume negotiations across the table with the carriers in the immediate future, honest sincere collective bargaining on the issues will take place. That action will go a long way to avoid another crisis on October 1, 1971.

To All Members of the Brotherhood of Railroad Signalmen

Dear Sirs and Brothers:

I wish to take this means to thank each and every one of you for your support and loyalty to the Brotherhood during our strike on May 17 and 18.

The cooperation received from you, your families, our Brothers from other labor organizations and the general public, was very gratifying to your Grand Lodge Officers.

We have received many reports from our members throughout the country advising us of the invaluable assistance rendered by people from all walks of life who were sympathetic to our cause. We have also received newspaper clippings concerning our strike from all sections of the country, in many cases with pictures of our members walking picket lines. We are extremely proud of the manner in which our members conducted themselves and there is no doubt in my mind that the determination of Signalmen to obtain a just settlement of their dispute is now a matter of public record.

With your display of solidarity, the firm stand taken by your Officers, and our continued united efforts, we have no doubt that our goals will be attained.

Fraternally yours,

C J Chamberlain

President

Many members of the Signalmen reported that our May 17 and 18 strike was their first experience at picket duty. Among the many who donned a picket sign for the first time was President Emeritus A. E. Lyon who is shown above.

Congress Ends Signalmen's Strike

ON TUESDAY EVENING, MAY 18, THE HOUSE of Representatives enacted into law a resolution that extended until October 1, 1971 the provisions of the final paragraph of Section 10 of the Railway Labor Act and thereby terminated the Signalmen's strike against the Nation's carriers. The Senate had passed the joint resolution earlier in the day.

The full text of the joint resolution was sent to all members of the Brotherhood of Railroad Signalmen on May 21.

Provisions of the resolution provide for the following:

- The Secretary of Labor and the Secretary of Transportation will submit jointly to Congress, not later than July 3, 1971, a full and comprehensive report on the impact of the signalmen's strike including an analysis of all recoverable and nonrecoverable losses suffered as a result of the strike.
- Pay increases of 5 percent for all signal employes, effective January 1, 1970.
- Also additional increase of 30 cents per hour for leaders and mechanics, effective November 1, 1970.
- And additional increase of 18 cents per hour for assistants and helpers effective November 1, 1970.
- Management and labor negotiate an agreement to provide as soon as possible, substantially improved living quarters for employes on travel status.

Before passage of the resolution there was much discussion on both floors of the Senate and House. The remarks made by Senators and Congressmen should be of interest to every member of the Signalmen. All remarks were taken from the Congressional Record.

Senator Harrison Williams of New Jersey, Chairman of the Labor and Public Welfare Committee, asked the Senate presiding officer for unanimous consent to dispense with further reading of the joint resolution and that it be printed into the Record. He also stated there was a copy of the resolution on each Senator's desk.

He told the Senators that the Committee on Labor and Welfare held hearings on the President's request for legislation respecting the nationwide railroad emergency which began early Monday morning. It heard from the Secretary of Transportation concerning the impact which the strike of the Brotherhood of Railroad Signalmen was having and the effect upon the Nation which could be expected to result if allowed to continue. It heard also from the Secretary of Labor regarding the administration's recommendation as to what action the Congress should take.

In addition, they have had the benefit of the views of the parties to the dispute—the Brotherhood of Railroad Signalmen, and the National Railway Labor Conference which represents the carriers involved.

Williams told the Senate that, "this dispute has its origin in collective bargaining notices served by the Brotherhood on the carriers as far back as October of 1969. Since that time, the various procedures of the Railway Labor Act have been pursued, including the appointment of a Presidential Emergency Board on March 4, 1971. On April 14, 1971, the Board—Emergency Board No. 179—issued its recommendations. These included recommendations for a series of periodic wage increases—going back retroactively to January 1, 1970, and extending up to April 1, 1973. The parties were unable to reach agreement on the basis of the Emergency Board's recommendations, and the provisions of the Railway Labor Act which have the effect of prohibiting strikes or lockouts accordingly expired 30 days later—on May 14."

He continued, "the committee has concluded, in agreement with the administration, that Congress should not attempt to resolve the merits of this labor-management dispute through legislation which would permanently settle the issues in dispute.

"I would note that the committee considered and rejected a proposal to implement all the findings of Emergency Board No. 179. It was believed that Congress should not take such a step which it has not taken previously. Furthermore, many of the proposals of the Emergency Board were merely recommendations which require further negotiation for implementation.

"What the committee is recommending to the Senate is a resolution which will extend until October 1, 1971, the period during which, under the Railway Labor Act, no strike or lockout may occur. This resolution would not prohibit the parties from continuing their negotiations in their efforts to reach an equitable settlement; on the contrary, it is hoped and indeed anticipated that this extended period will provide the parties with sufficient opportunity to accomplish that purpose.

"I should point out that the October 1, 1971, extension we have provided for exceeds by 3 months the administration's recommendation, which was for an extension until July 1, 1971. We concluded this additional period was warranted in order to insure adequate time for reaching agreement between the parties. We also felt that during this period the present negotiations between the carriers and the shopcraft unions—which have been a complicating factor in the signalmen's dispute —might be concluded, thus facilitating an agreement in the signalmen's case.

"The resolution further provides, in accordance with the administration's recommendation, that 10 days before the new expiration date, the Secretary of Labor shall report to Congress on the progress of negotiations and his recommendations for proposed solution of the dispute if it has not yet been settled by then.

"We also provide for the Secretaries of Labor, Transportation, and Defense to report to the Congress on the impact that this current work stoppage has had, so that we may have such information available when we consider the various proposals that have been made for permanent emergency disputes legislation. Consideration of permanent emergency disputes legislation will shortly be taken up by the Committee on Labor and Public Welfare, or by one of its subcommittees initially.

"In addition, the resolution contains a sense of Congress provision that the living conditions of employees subject to this resolution, while on travel status, are unsatisfactory. The resolution urges negotiations to improve such conditions. The Emergency Board had pointed out that—

'The sordid state of some camp cars on some roads is both telling in its impact and not seriously challenged by the carriers.' "

Williams warned the Senate that while they "are acting in order to forestall the adverse impact on the

Nation which the administration advises would be caused by a prolonged nationwide rail strike, we are mindful of the fact that, absent legislative intervention, these workers do have the right to strike. Therefore, it seemed to the committee that if we are taking such action, we should provide some recompense to these workers for having deprived them of their only weapon—particularly since they have already been working without an agreement on wages for some 16½ months, and without a wage increase for over 22 months during this period of very serious inflation.

"Accordingly, in addition to setting a date of October 1, 1971, the committee has concluded that the retroactive pay provisions which were recommended to the parties by Emergency Board No. 179 should go into effect immediately.

"Our resolution, therefore, contains a section which provides for an increase of 5 percent for all workers covered by the dispute, effective January 1, 1970; a 30-cents-per-hour increase for leaders and mechanics and an 18-cents-per-hour increase for assistants and helpers, effective November 1, 1970; and a 4-percent increase for all workers covered, effective April 1, 1971.

"I would point out that in making provision for the retroactive wage increases recommended by the Emergency Board, we are following the pattern adopted by Congress last December 10, when we extended the no-strike, no-lockout period in another railroad labor dispute, and similarly required payment of the retroactive increases recommended by the Emergency Board in that case. I might add that three of the labor unions involved in that earlier dispute have since settled voluntarily with the carriers.

"At the time of our action last December, a number of Senators strongly opposed the provision for retroactive wage increases. They were particularly concerned, because in that case, the Emergency Board's wage increase recommendations were tied to recommended work rules changes which were expected to save the carriers money if accepted by the unions. The argument was made at that time that it would be unfair for Congress to award any wage increases without also taking action on the other part of the package—the work rules.

"I think it important to make clear that this element is not present in the instant situation. The carriers have agreed to the wage increases recommended by the Emergency Board; and, since no work rules issues are in dispute, the carriers have not conditioned their agreement to the wage increases upon the union giving up something it already has.

"I should also point out that while the union is insisting that the skilled nature of the work performed by its members warrants a wage settlement higher than that recommended by the Emergency Board, there is no serious likelihood that it will have to settle for less. Not only have the carriers accepted the Emergency Board's retroactive wage increase recommendations, but also the amounts recommended are the same, or slightly lower, than those which the carriers have agreed upon with other unions in recent months.

"Accordingly, and in view of the further delay of strike action we are requiring of the union, the committee believes that our provision for the retroactive wage increases is entirely fair and justified.

"I would emphasize that such provision is in no way intended to prejudice the union's right to bargain for greater increases—either retroactively or prospectively—nor does it represent a judgment by the committee as to what the amount of the wage increases ought to be. It merely represents what seems to the members of the committee, under all the circumstances, to be the most reasonable available measure of recompense for requiring the union to postpone any strike action."

Williams told the Senate, "just a short while ago we were advised that the President knows of the action of Committee on Labor and Public Welfare, and from the White House has come the following announcement:

'The Senate proposal is acceptable to the President, because our interest is the ending of the strike and having the rails run normally.' "

He also said that, "in view of all this and the need for expeditious action, I will say nothing further at this time, and recommend that the Senate act favorably on the committee's resolution."

Senator Winston Prouty of Vermont then told the Senate that, "again we find Congress placed in the impossible position of trying to settle a labor dispute. Throughout the years I have been one of the strongest advocates for free collective bargaining. As a businessman, as a Senator, and as an American, I am convinced that collective bargaining represents the best way to resolve issues which will always arise between labor and management. It is, therefore, with a great deal of sadness that I again find myself on the Senate floor attempting to become an instant expert in a most complicated area. I do not fool myself, and I do not think any Member of this body should fool himself; it is impossible for U.S. Senators to become operating managers for our Nation's railroads.

"I do not intend to spend a great deal of time rehashing history. Nevertheless, I think it important for us to recognize that this great body has too often been called upon to settle labor-management disputes in the rail industry. To mention only a few of the times that we have been placed in the position of being judge, jury, and arbitrator: There was the threatened nationwide strike of the railroad operating crafts in 1963, which was averted only by enactment of Public Law 88-108. There was the strike by the firemen against selective rail carriers in 1966; the strike against a substantial number of airlines by the machinists in 1966; the shop craft strike which resulted in the enactment of Public Law 90-54 on July 17, 1967; and, finally, the near disaster of December 9 and 10, last year, which resulted in the passage of Public Law 91-541.

"Today, we are again faced with a nationwide crisis caused by either the ineffectiveness of the Railway Labor Act or the unwillingness of those covered by the act to make it work. The Nation's railroads have stopped. Most railroads will not fail, although I think all of us should remember that the rail industry is one of the weakest industries in this country.

"Who is hurt by the present railroad strike? I do not think that it is an oversimplification to say that all of us are hurt.

"More than 43 percent of the Nation's freight moves on railroads. Yesterday and today, 43 percent of the Nation's freight stood still.

"The Nation's largest railroad, the Penn Central, has been in bankruptcy for more than a year. Its operations continue largely because of the day-to-day cash flow. This strike is inviting the complete stoppage of the Penn Central.

"Will it be next week, the week after, or the week after that, that we are faced with the question, How do we keep the Nation's largest railroad operating?

"It will be recalled that last December 9, we stayed in session until the wee hours in the morning in order

to avert a nationwide rail strike. At that time I restated a premise that I had stated many times before, when I said:

'I do not believe that the U.S. Congress should be turned into a national mediation board for the settlement of every labor-management dispute that could possibly disrupt the economy of this country.'

"As in the past, my words apparently fell upon deaf ears. Less than 6 months have passed since our last nationwide rail crisis. We are again placed in a position of doing the impossible. Congress is asked in effect to pass a private bill so as to settle an issue which should have been settled by collective bargaining.

"What will be the result of our action—whatever action we may take? First, we have spent less than 24 hours trying to grapple with this problem, and in all candor we have to admit that we simply do not know what the consequences of our action might be.

"We will get the railroads running—there is no doubt about that. For how long, we do not know. At what price, we do not know.

"Last December, I stated the following:

'If all Senators had attended meetings of the Committee on Commerce in which the financial plights of the railroads in this country were brought out in great detail, they would realize that we are faced with a problem of tremendous magnitude and seriousness.

'As I recall, the former Secretary of Labor, Mr. Wirtz, who is a trustee of the Penn Central Railroad, stated that unless Congress enacted some kind of loan guarantee legislation, the Penn Central could not pay the wage increases recommended by the Emergency Board.'

"We were forced to pass legislation permitting guaranteed Federal loans to the Penn Central. Those guaranteed loans have been used up.

"We are told now that within the next 6 months additional relief will be needed in order to keep the Nation's largest railroad operating.

"In the Washington Post on the seventh of this month was published an article which pointed out that Federal Judge John P. Fullam, who is overseeing the bankruptcy of that railroad, has indicated he may not permit the railroad to accept another federally guaranteed loan unless there are shifts in work rules that would enhance Penn Central's chances to become viable. The article went on to point out:

'If (Judge) Fullam carries through on his threat, it would represent an attempt to force Congress to face not only the issue of financing Penn Central, but also the question of work rules. . .'

"Now," he said, "I am not suggesting that we legislate at this time a number of work rule changes, nor that we rewrite contracts presently existing between railway labor and railway management. First, there is no reason that the Congress of the United States should have to do what labor and management should be able to do for themselves. Second, we should neither deceive ourselves nor the public into believing that we are experts in this area. By the same token, we should face reality. Part of that reality is that the largest railroad in the country is bankrupt. Part of that reality is that precipitate legislation and Government regulation is in some way responsible for the deplorable condition of our Nation's railroads.

"I ask unanimous consent that several items relating to the continuing serious situation facing our Nation's largest railroad be printed in the RECORD at the conclusion of my remarks."

Senator Prouty then stated he wanted "particularly to bring to the attention of all of the Members of this body the order issued by Judge John Fullam on March 22 of this year. The most startling part of that order is the fact that a reorganization plan was impossible. While the order itself does not say so, one of the reasons that effective reorganization is impossible is the uncertainty of the future which we ourselves continue to create."

He noted that "in labor-management relations affecting the railroad industry, we have had pending before our committee for over 15 months, legislation designed to provide certainty and stability in railway labor contracts. There have been no hearings held, even though we have been faced with a crisis situation twice within the past 6 months.

"We simply cannot afford to play Russian roulette with the Nation's basic transportation system. The Secretary of Transportation, the Secretary of Labor and the President himself, have all stressed the importance of the Nation's railroad system in relation to the entire economy of the country. Already the strike that is now occurring has sent shock waves from Maine to California and from Oregon to Florida. I can think of no single episode which could cause so great a harm to our entire economy."

He continued, "I do not overstate my case. All of us in this body have realized for some time that a nationwide rail strike could occur. We have postponed considering permanent legislation to guard against such catastrophe. Today, we can see what our procrastination has brought. Among other things, it has again placed the Congress of the United States up against the wall where we are called upon to place an ineffective Band-Aid on a mortal wound to the collective bargaining system and further weaken our nationwide rail industry."

"In all candor," Senator Prouty said, "there is no way that we in Congress can intelligently enact effective and meaningful legislation in a crisis situation such as this. I recognize this fact, and I am sure that every Member in this Congress recognizes it. In fact, the public certainly recognizes our dilemma.

In this crisis atmosphere, we cannot develop meaningful, permanent legislation. However, it is my judgment that we can do much better than the legislation we rushed out of the Labor and Public Welfare Committee this morning."

Senator Prouty stated that at an appropriate time he would offer an amendment which, in his judgment, represented a much better approach.

He then briefly recalled the history of the dispute and sent to the desk an amendment in the nature of a substitute for Senate Joint Resolution 100.

The terms of his amendment were simple and easy to understand, he said.

He asked that the Railway Labor Act provisions prohibiting strikes and lockouts be extended until June 30, 1973.

Further, he stated that, "The Brotherhood of Railroad Signalmen and the Carriers are given to June 30, 1971, to reach voluntary agreement over the terms and conditions of the proposed collective bargaining agreement now in dispute.

"Absent voluntary agreement between the parties by June 30, 1971, the recommendations of Emergency Board No. 179 will become effective and will have the same force as if they had been voluntarily agreed to by the parties.

"These recommendations, which then become the terms and conditions of the collective bargaining agreement, will remain in full force and effect until June 30,

1973 unless modified by mutual agreement of the parties at any time prior thereto.

"This proposal," he noted, "is quite similar to the settlement imposed upon the machinists union and certain other brotherhoods in 1967 under Public Law 90-54. The main difference in this situation is that absent agreement between the parties we would be imposing the existing recommendations of the Emergency Board rather than creating a new panel to review and possibly modify the recommendations already made by a group of experts in this field."

Senator Prouty then told how Emergency Board No. 179 was established and composed of three distinguished Americans eminently qualified to serve as neutrals.

He said nothing would be gained by "superimposing another board to review the recommendations of these experts. Their report deals in depth with the issues underlining the dispute between the parties and includes specific and comprehensive recommendations for settlement of all the issues in dispute.

"It has been alleged in the past," he told the Senate, "that the carriers would rather come to Congress than negotiate a final contract. What occurred in the shopcraft dispute last winter, however, and what will occur if the resolution reported by the Labor and Public Welfare Committee becomes law is the establishment of a precedent which would seem to favor the brotherhoods in coming to Congress and which, in effect, greatly undermines the process of free collective bargaining. Thus, what is proposed by the committee resolution is to impose by legislation certain of the wage increases upon the carriers which were recommended by the Emergency Board without taking into considering or imposing upon the railroad brotherhoods any of the considerations which might have been a quid pro quo for inducing the carriers to agree to such increases.

"It is difficult to look at the recommendations of the Emergency Board and the agreement of the carriers to accept them in any context other than that as a complete package. I do not believe there is anyone in this Body who seriously believes that the carriers would offer a 42 percent wage increase without obtaining some consideration in other areas of the collective bargaining agreement in return. I submit, therefore, that by merely imposing the wage increases we are seriously endangering the balance of collective bargaining between the parties.

"There are certain areas where Emergency Board No. 179 recommended that the parties engage in further negotiations, either directly or through the establishment of various joint committees. Under my substitute amendment, the burden in good faith as directed by the Emergency Board will be continued.

"If there is disagreement as to the meaning of any part or all of a specific determination by the Board, any party may apply to Emergency Board No. 179 for a ruling and the Emergency Board shall thereupon reconvene and promptly issue a further determination with the respect to the matter or matters raised for clarification. The Board retains discretion as to whether a further hearing will be necessary.

"Finally, the United States District Court for the District of Columbia is given exclusive jurisdiction over all suits concerning the determinations of the Emergency Board."

"Experts have looked at this situation in depth," Senator Prouty noted. "Board after Board have made recommendations. I urge my colleagues to follow their recommendations by adopting my amendment. It follows the industry trend already accepted by six of the major railway unions.

"Moreover, I am assured that in all probability the United Transportation Workers and the shop craft unions will probably accept the common contract termination date of June 30, 1973, when they complete their negotiations later this summer.

"My amendment assures every employee of the industry more money than is provided in the bill reported by the committee.

"Above all, my amendment provides certainty within the rail industry through June 30, 1973.

"Let us begin today to carry out the responsibility we have for keeping our Nation's transportation system viable.

"Tomorrow, let us immediately begin the task of writing permanent legislation so that the Railway Labor Act can become a useful tool for effective collective bargaining."

Senator Prouty then quoted briefly from three editorials which were published in the morning papers and that he had previously inserted in the RECORD. All three editorials had to do with the Signalmen's strike.

Senator Charles Percy of Illinois then told the Senate that "as sure as the seasons come and go, the Nation invariably finds itself every so often—much too often—with a national rail emergency resulting from the chaotic course of collective bargaining in the transportation industry. And just as inevitably, the President is called upon to step in and the Congress is pressed into a hasty, piecemeal and incomplete response.

"This need not be. This should be. Neither the President nor Congress should be in the business of running all the railroads. Each has enough on its hands in running this country. While I endorse immediate Congressional action to halt this strike as quickly as possible, I do not feel that Congress or the President should be involved in wage negotiations in the private sphere, such as we have with the Brotherhood of Railroad Signalmen. That is a private matter to be settled between the union and the carriers. It became a public matter—indeed a national emergency situation—only because the impasse resulted in a nationwide strike with a nationwide impact instead of being limited in nature, size and scope.

"Perhaps the underlying difficulty is rooted in the fact that where a strike becomes necessary, in the past unions have been precluded from attempting to exercise their economic strength on a selective basis so as to minimize the impact on the public. Attempts to strike selectively have been met with restraining orders and temporary injunctions issued by the courts at the request of rail carriers, thus leaving the unions with no right to strike at all unless they strike nationally. I look with favor on a recent decision of the U.S. Court of Appeals for the District of Columbia upholding the legality of selective strikes which would avoid nationwide upset. Pending Supreme Court review of that decision, we should be cautious in imposing a too rigid approach to wage negotiations in the transportation industry.

"If that course does not succeed in taking the crisis out of rail negotiations, then I think we must look to more restrictive alternatives, including the possibility of binding arbitration by an impartial board with adequate provision for operation of the rails to assure the movement of goods and services essential to the national health and safety.

"At any rate, the strike that is now in progress does constitute a national emergency and must be halted.

It should never have occurred, but it did. Now it must end without further delay and without prejudicing the bargaining rights of those involved."

Senator Robert Packwood of Oregon took the floor to ask about the Committee's legislation. Did he presume that the legislation would be passed on the assumption that we cannot under any circumstances allow a railway strike? Senator Williams answered that is the basic premise of the administration's request to his committee. Senator Packwood then asked if the remaining issues were not resolved by October 1, would the Senate be back with a similar resolution.

He then stated, "Congress goes through this charade every 6 months. Under the Railway Labor Act we have told the railway unions they can strike. They have to go through mediation and the Emergency Board process and then they can strike, but when it gets up to the strike we tell them, 'That is a no, no, the railway industry is different.' It is all right if the Teamsters want to strike, and the trucking industry wants to strike. That is not illegal. It is all right to have the airlines strike but there can be no railway strike.

"I think Congress should make a policy decision as to what the transportation policy in this country is going to be. Either we are going to say we are not going to have strikes, period, and that the railroads and trucks will be kept moving, or we are going to allow strikes.

"There is no need to come back here every 6 months with an emergency, and it is no more an emergency than the coming of summer. We are familiar with these contract negotiations and Emergency Board proceedings. We come down to 11 o'clock or 12 o'clock at night here and impose some ad hoc solution that both parties may or may not like, and always on the assumption that we cannot allow a strike.

"I practiced labor relations law for 5 years, basically from the employer's side, negotiating contracts with unions. I think I know why we do not face up to this problem. If we were to face up to it, we would be touching on compulsory arbitration. Unions do not like that word; most employers do not like the concept; and yet there is no other way to keep the railroads running, to keep the airlines flying, and to keep the trucks on the road, short of a strike, without this Government stepping in and saying, 'Either we will have the National Guard run the trucks, railroads, and trains, or for a temporary period we are going to nationalize them, or we will not tolerate the stoppage of the flow of freight in this country.'

"It has been touched on that we have had before us the President's emergency strike legislation for 15 months. We all know what the attitude of the unions would be toward the legislation. It would be adverse. I think the attitude of most employers would be adverse. For too long we have been sitting in this Congress and past Congresses attempting to avoid, if we can, making a fundamental controversial decision, and that decision may be that railway, airline, and trucking unions should have the right to strike.

"I am going to vote against this legislation. I have no doubt it will pass because in this country there would be a great political and tumultuous outcry if the railroads did not run for 1 or 2 weeks.

"But I am going to vote against it because the same statements we hear here today can be moved back to last December 10 and placed in the RECORD, and it will be found we were saying the same thing then. I will wager we will be here the night of September 30, saying the same thing again, and we will be doing so periodically until we once and for all face the issue of the necessity or lack of it to keep freight moving in this country.

"The chairman of the committee, the Senator from New Jersey (Mr. Williams), very graciously indicated in committee today that he would be willing to hold hearings, and if I do not misspeak him, he said in the not-too-distant future, on the President's emergency strike bill. But it will not be enough to hold hearings and it will not be enough to simply realize that most of management and all of labor does not want a compulsory arbitration bill.

"If this Congress in passing this bill today is saying once again, 'We cannot tolerate a strike or a stoppage in the railway freight industry,' then I think we start not with the President's bill but with the resolution of the Committee on Labor and Public Welfare and this Congress that the policy of this country is going to be that the freight will move, and we fashion legislation to meet that conclusion.

"Mr. President, my vote today is a protest, and had I been in Congress for the last 4, 5, 6, 7, or 8 years all my votes would have been protests. I am not optimistic. I am convinced that close to the 1st of October I will be back here to make the same statements and Congress will by overwhelming votes be passing the same kind of legislation."

Senator Robert Griffin of Michigan then stated that until disposition was made on Senator Prouty's amendment, he would withhold his amendment. It would have added a new section to the Railway Labor Act instructing the Committee on Labor and Public Welfare of the Senate to report (with or without recommendations and with or without amendment) the bill S-560 within 45 days after enactment of the joint resolution. This is the President's National Emergency Transportation legislation opposed by all labor.

After much discussion between Senators Williams and Griffin over hearings for permanent legislation to end strikes in the transportation industry Senator Eagleton took the floor.

Senator Thomas Eagleton of Missouri then asked, "Is the Senator convinced beyond a shadow of a doubt that there is a need for any kind of legislation permanent in nature to be reported to the floor of the Senate?

"Let me, as an explanation for the question, give the Senator this background because it is a genuine question which I would like to have answered. In early 1969, the former Secretary of Labor, now Director of the Office of Management and Budget, Mr. George Shultz, knowledgeable in the field of labor management relations, former dean of the University of Chicago School of Business Administration, came before our committee for a confirmation hearing. As the Senator from Michigan knows, it is protocol for a nominee for a Cabinet position to pay a courtesy call on the members of the committee before which that Cabinet officer is to have his nomination confirmed. Secretary Shultz paid us a visit in January 1969, while his confirmation was pending before the Committee on Labor and Public Welfare.

"When he came in I said that there were two or three areas of labor management relations that I would like to discuss with the Secretary. One related to public employee strikes. We discussed that a while. Another related to transportation strikes—the matter now in question. I asked the then nominee, Mr. Shultz, later Secretary of Labor, what his position was on some form of permanent legislation with respect to this vexing and perplexing problem.

"He said, 'It is my opinion, Senator, that this is best handled on an ad hoc case-by-case, situation-by-situation basis.' I do not purport to quote him exactly, but I do have notes on this. I dictated a memorandum after the interview and this is the substance. He said, 'I despair of emblazoning into law any permanent system of compulsory arbitration, and thus it is my recommendation to President Nixon,' he said to me, 'that we do not try to embark on any permanent legislation.'

"I do know that Secretary Shultz, at the request of President Nixon, apparently has had a change of heart, but the Senator from Michigan, in his colloquy with the Senator from New Jersey, (Mr. Williams) tried to extract from him a promise to report a bill to the Senate by a day certain. He said something had to be reported to the floor of the Senate.

"So I repeat, with that background, my initial question to the Senator from Michigan. Is he certain, to a moral certainty, that a bill should be reported to the floor of the Senate setting up a system of compulsory arbitration when, at least at one time, a highly respected Secretary of Labor, Mr. George Shultz, thought that would be an unpropitious, indeed an unwise, thing to do."

Senator Griffin answered that he did favor legislation along the lines of the bill he introduced on behalf of the administration.

Then Senator Packwood said the statement Senator Eagleton put forth, "that he attributed to former Secretary Shultz is not an unknown theory. Theodore Keel, the eminent labor relations expert, has come forward with the same thought. I am not sold on compulsory arbitration. But what I would like to have is a Senate policy. If the policy is going to be to settle ad hoc disputes, those involved ought to know that is the policy. They do not know now. Who knows what the policy is, with each case considered on an ad hoc, case-by-case basis?

"Is it the Senator's point of view that the country, under any circumstances, would tolerate a railway strike of any duration?"

Senator Eagleton answered, "The Senator from Oregon is correct in his statement of the viewpoint of Mr. Keel and other experts, just as Mr. Shultz felt during 97 percent of his life, that these disputes should be settled on an ad hoc basis.

"That is, in truth and in fact, the present policy of Congress, and has been the longstanding policy of Congress.

"It was not last year, in December, that for the first time matters relating to the transportation industry were brought here on a case-by-case basis. The first time was back toward the close of World War I, or maybe before that. That has long been the policy of Congress."

Senator Eagleton stated it is clear "that Congress would not tolerate any national strike of the railroad industry for any considerable period of time. I think the brotherhoods are aware of that. There might be a time when a partial strike, either selective among certain lines or partial strikes that would require the transshipment of perishable items, materials of war, or items necessary to health might be tolerated. But they recognize at the present time that the longstanding policy of Congress has been, for 50 years or more, I dare say, to deal with these matters on a case-by-case basis, with a strike with any degree of duration not being permissible."

The following exhange took place between Senators Packwood and Eagleton:

Senator Packwood. "So we really do not have an ad hoc policy; we have a policy that says, 'You can do certain things, but you shall not be allowed to strike for any extended period of time, over all the major railroads at one time, in this Nation.' "

Senator Eagleton. "The policy has been and continues to be an ad hoc, case-by-case treatment of each of these matters—the policy which Mr. Keel thinks is still the preferable policy, and the policy which George Shultz felt preferable until such time as he was apparently persuaded by the President to change his thinking."

Senator Packwood. "Except that at the end of each ad hoc, there is the commandment, 'Thou shalt not be permitted to strike for any period of time.' "

Senator Eagleton. "Exactly."

Senator Packwood. "Then we ought to set that forth in law, or at least set it forth, so that labor knows it does not have the power to nail management to the wall, because it knows, that in the long run, Congress will come to the rescue of management."

Senator Eagleton. "I think the policy is well known. I doubt if there is a spokesman for any of the railroad brotherhoods, or any of the other transportation workers unions, or any spokesman for railroad management, who does not understand what the policy has been and what it continues to be at this very moment, at a quarter to 6 tonight and, depending on whenever a vote is taken, will continue to be the policy—hopefully before the strike goes into yet another day, with disastrous consequences to the public."

At this point Senator Prouty asked to withdraw his amendment.

Senator Griffin stated that after "consultation with a representative of the Secretary of Labor, after consultation with the committee chairman and the ranking minority member of the committee present and after consultation with key Members of the other body, we find that our bill is different from the bill which was reported by the Committee on Education and Labor in the other body in only a couple of respects. The bill reported by the Senate committee provides for pay increases in four steps:

"Effective January 1, 1970, a 5 percent increase for all employees.

November 1, 1970, a 30 cent per hour increase for certain employees.

November 1, 1970, an 18 percent per hour increase for certain other employees.

April 1, 1971, a 4 percent increase for all employees.

"The bill reported by the Commerce Committee in the other House does not include the 4 percent provided in the Senate committee bill effective April 1. The reason for this, as I understand it, is that it would be more than was granted the other railroad union workers in other agreements which have been put into effect.

"The Senate bill provides for an extension until October 1, whereas the House committee bill provides for a more limited extension.

"There was a minor change in language in section 5 which the House wanted.

"Frankly, through some negotiation, it appears to me that we could pass a bill tonight without the necessity of going to conference if we could agree here in the Senate to striking the 4 percent item, and then the House would go along with our October 1 date.

"I believe that would be an equitable adjustment which would make it possible to get a bill on its way to the President's desk this evening.

"I hope that perhaps the distinguished chairman of

the Committee on Labor and Public Welfare might see it possible to accept the amendment.

"I will say that the amendment which I sent to the desk earlier, will not be called up because I realize that it would prolong debate and make it difficult, if not impossible, to get this legislation passed this evening, although I hope I made a point with the amendment. I was glad to get the further assurance of the chairman of the committee that definitely there will be hearings on the permanent legislation proposals."

Senator Williams stated he accepted the amendment offered as it preserves the essence of the Senate's position and accommodates certain changes that the House will adopt.

House Takes Action On Tuesday Evening

On Tuesday evening, May 18, at 7:10 p.m. the Speaker called the House of Representatives to order to consider a joint resolution, S.J.100, that had passed the Senate.

Congressman William Colmer of Mississippi, Chairman of the Committee on Rules, asked for immediate consideration of the resolution. After stating there would be one hour for general debate on consideration of the joint resolution, in addition to the hour on the rule, he opened: "Mr. Speaker, I shall so far as I am concerned leave to the distinguished chairman of the committee on Interstate and Foreign Commerce the explanation of the joint resolution. In general terms this joint resolution is aimed at stopping a paralyzing strike that is going on in the railroads of this country today. I think we all agree that this is an intolerable situation and that it affects the entire economy of the country and that some action must be taken to get the railroads operating.

"The House, and the Congress for that matter, are now called upon for the sixth time in the past seven years in an area to emergency to take some emergency action to get the railroads back in operation. I shall not go into the details of that other than to point out that in the 90th Congress we three times were called upon to take the same action that we are taking here today."

After outlining action taken by Congress over the past four years and the need to enact some permanent legislation to deal with rail strikes, Congressman Colmer told the House "President Johnson recommended permanent legislation to meet the situation. President Nixon in February 1970, more than a year ago, sent a message to Congress asking the Congress to face up to the situation and enact some permanent legislation on the subject. Yet nothing has been done about it."

Representative James Haley of Florida in a call for permanent legislation said:

"The gentlemen has stated the issue that is before us today and what has been before us time and time again. This Congress and this committee should face up to the task of passing permanent legislation, not against labor or management, but a measure that will stop this kind of situation that really jeopardizes the economy of this Nation.

"I say to the gentleman from West Virginia that I believe we have a very able committee. They could well send to the floor of this House permanent legislation on the subject so that we would not be confronted time and time and time again with the situation we now face in which we must accept something that maybe nobody likes but something that we must do in order to move forward.

"So I say to my good friend, the chairman of the committee, for Jesus' sake, bring something back here and let us stop these things that are really a danger to our Nation. I think you have done the best you can under the present situation.

"President Johnson asked for permanent legislation. President Nixon has asked for permanent legislation. I believe if the gentlemen will bring back to the floor of the House something which will resolve this thing permanently he will have the gratitude not only of the Congress but also of the great majority of the people of the United States."

Representative Durward Hall of Missouri asked for a simple explanation by the Chairman of the Committee on Interstate and Foreign Commerce, as to the contents of the expected amendment or the contents of the Senate bill.

Representative Allen Smith of California agreed with the statement "of the distinguished chairman of the Committee on Rules that permanent legislation is certainly warranted and necessary. It is unfortunate that we are faced with this kind of a situation, a clear emergency, and that we have to act in this fashion.

"If the railroads do not get back to work, the stoppage of the flow of materials on tomorrow and the days thereafter and the impact on our economy can be catastrophic. Of course, we are placed in this position through no fault of our own, but we must straighten it out. Both the Committee on Interstate and Foreign Commerce of this House and similar committee of the other body have been working very diligently in an effort to bring this matter to a head this evening. The President of the United States has requested that we do this.

"I think everybody has cooperated to the greatest extent possible. The Rules Committee has sat specially to bring this rule here tonight so that this joint resolution could be considered and acted upon.

"Mr. Speaker, there are certain differences between Senate Joint Resolution 100—or at least there were earlier today—and the measure we are considering, House Joint Resolution 642. The Senate measure will be in order and will be considered on the floor after passage of House Joint Resolution 642. I understand all differences between the joint resolutions have been worked out. In other words, there is a certain difference in the amount of the pay increase which the other body had in the bill. They reduced the amount on the floor or before the actual vote on it, so that it is now in accord with the provisions of House Joint Resolution 642, which is about a 13-percent increase. It is way, way lower than the amount which will finally be arrived at. I think it will amount to between the 36 percent offered by management and the 54 percent asked by the unions. It is in accordance with what we did last year in the same amount for the other crafts, so there is no disparity in that particular situation.

"In our particular resolution we prohibit a strike until July 20. The other body had October 1 in their resolution. I understand that an agreement has been reached whereby an amendment will be offered to House Joint Resolution 642 to set the date as October 1. In turn the other body has reduced the amount of the pay increase to conform with House Joint Resolution 642. In addition to that, I think there is one page in the resolution where it refers to certain living accommodations of the employees. The words will be inserted in there 'some of the employees,' because certain railroads are not faced with that problem. The other body has already accepted this. They passed the joint resolution on an oral vote.

"On the television stations they have reported that the House is now ready to act and will pass the measure probably on an oral vote. So it seems to me, Mr. Speaker, as long as we all know what we must do here, we can adopt this rule and have an oral vote and go out and have dinner and still go home this evening after a long day's session in the House of Representatives."

At this time Representative Harley Staggers of West Virginia, Chairman of the Committee on Interstate and Foreign Commerce, took the floor to explain the joint resolution. He indicated that on Monday, May 17, the Interstate and Foreign Commerce Committee received a message from the "White House saying that an emergency existed, that there was a strike of the railroads in the Nation, and asked us to consider it immediately.

"We intended to have some hearings last night, but some of the members of the committee objected to having hearings without the resolution being presented and in front of us, and according to parliamentary procedures, I think they were well within their rights.

"So, Mr. Speaker, I scheduled a meeting for 10 o'clock this morning. Meanwhile the Senate committee at 4 o'clock last night passed out their resolution and had it ready for executive session at 9:30 this morning. They went into executive session and passed the resolution. As the gentleman from California (Mr. Smith) just said, it was brought before the Senate, and the Senate has amended it, passed it, and adjourned.

"We found out what the Senate had done, that they had put in certain provisions which were not in the President's original request sent up here. We tried to reconcile our position somewhat with theirs.

"The Senate committee had put into their resolution a requirement that any proposed Presidential board recommendations for wages be incorporated in the resolution up until this present time. We did not do that on our side because we felt that if we went beyond our action of last year, we would be favoring this union over some 200,000-odd other workers which had been given pay raises limited to last year, and there would immediately be cries all over this Nation saying that we had done for one, something that was not done for the larger union bodies. Their agreements and contracts have not been signed yet, but they have not struck the railroad. They are trying to work it out in the courts, and they are in the courts, and that is where I think they should be in trying to point out what the law is. We cut out the 4 percent which would have been paid to April 1 in order to make a comparable to what was paid to the unions last year.

"The other body had put into their resolution the provision for extending the President's time until October 1, but in talking with different ones on the committee, they said there was no sense in our passing something that we will have to face again—by July 1, and that even if the President wanted something, we could not pass permanent legislation at this time. In other words, it was impossible to do so. It would take many, many months to do anything in the other body in order to get something done. So, they insisted upon the date of October 1, and I said I thought we could possibly go along on this side with them.

"They have an amendment on the back of the resolution which accuses all the railroads in this country of not providing proper housing, food, and so forth for the employees while on the road. We put in our form of the resolution wording to the effect that not all the railroads did that, because we did not see how you could take a blank cartridge and shoot it and say everyone was guilty. We said that some needed to be improved but perhaps not all.

"These are the changes which have been made from the Senate resolution, and what was originally sent up to us by the President.

"The Senate passed this out of their committee this morning and when we were having hearings, and we had hearings all day until 4 o'clock this afternoon, starting at 10 o'clock this morning.

"When we found out what they had done, we concluded that by amendment we could make it compatible with the Senate resolution and pass it and then adjourn. If we do not, we will not have a resolution tonight, and the strike will not be settled until later, because the Senate has already gone home."

Congressman Gerald Ford of Michigan indicated he was very interested in, and believed the country was interested in, permanent legislation to avoid these periodic crises.

He stated "It seems to me, and I believe it is sound, that we ought to have new legislation that would avoid legislative stop-gap measures such as we have before us once again at this moment.

"On December 19, 1970, the gentlemen from West Virginia and myself had a colloquy. I asked if the gentleman and his committee would hold hearings on permanent legislation such as that recommended by the President of the United States roughly 15 or 16 months ago.

"The gentleman at that time said, and I quote:

'Mr. Chairman, if the gentleman will yield, we will consider holding such hearings, I will tell the distinguished minority leader.'

"I indicated at that time that I wished he had been more firm in his commitment.

"I understand in the committee this morning the distinguished Chairman of the Committee on Interstate and Foreign Commerce said, and I am quoting from a news story:

'We're going to get to it and pass a bill, and I am sure neither the unions nor the management will like it.'

"That is encouraging. Can the distinguished Chairman of the Committee on Interstate and Foreign Commerce give us assurance that hearings will be held, and that some legislation will come out of that committee so that not only the committee can work its will, but the House can work its will?"

Congressman Staggers answered, "If the gentleman from West Virginia could do that I would be a miracle man. I would have to be a type of prophet that I do not believe we have in the House.

"I will say we will hold hearings. But to bring legislation out of that committee that would be agreeable to the gentleman or to perhaps the majority of this House is going to be very difficult for us to do. It is going to take months and months of hearings."

Congressman Ford responded, "I am certain that many members of the committee are as fed up as I am with this periodic crisis coming to the Congress of the United States and, therefore, I hope that these hearings will be initiated as quickly as possible.

"I recognize that in the past we have had recommendations from the White House, not only from this administration but from preceding administrations, and I know that no legislative action has been taken. But I honestly feel that the American people today are fed up with these labor-management problems disrupting the economy as they do today and as they have done in the past. The history of labor-management legislation

is that the Congress will do nothing until the public says, 'You do something.' I believe the American public today are telling us something—that we have to act on permanent legislation. I hope and trust the other body will get the message and will follow your recommendation to hold hearings. In the meantime the House Committee on Interstate and Foreign Commerce must do something so that we can act affirmatively."

Congressman Staggers recalled he could "remember when our distinguished former President, President Kennedy, sent a message to our committee. I was not the chairman of the committee. I made the statement which was carried in the press and I said:

'If this legislation is passed as it is sent here by our President, he does not have enough men in the United States army to keep these men working under the conditions which were set forth in that message.'

"I think we have to be fair with the working men and we have to work this thing out and to be fair to the public and to those who work and also be fair to management. This is not something that can be done overnight. But I would like someone to give me that magic formula and in committee we could just say that this is it."

When asked to explain the partial financial settlement proposed in the joint resolution, Congressman Staggers explained, "There is a considerable difference between the parties. The unions want 54 percent; the railroads have said that they are willing to give 36 percent. The workers have not had a raise for 20 months. They have children as do you and I, and they have homes to maintain. This increase ought to be granted. We have not granted an increase for this year, however, because to do so might have meant a fight between unions, and possibly would have brought on a strike."

He continued, "I believe it is a partial settlement. As I argued on this floor last year—and when we take away from any person a right—and in this case it is the right to strike—we ought to put something into the scales to balance it. Of course, there are some who would like to put the scales on the floor and say, 'The heck with your group.' I do not believe that that is proper. I believe that when you take away something from a man, you should give him additional pay or something in equity. We are taking from the men their right to strike. We are giving in return what the presidential board has recommended up to this time. That is all we are doing. We are not going into the merits of the issue or into future questions. This matter will have to be settled by negotiation."

Congressman James Fulton of Pennsylvania said he believed Congress must act "in the current, present, immediate national railroad emergency to save the national economy and the jobs that may be lost, which is a situation that threatens thousands of families in our United States. These people are our people and humanitarian principles require that Congress act in the national interest. But I oppose the following provisions of this bill.

"I have made my position clear that I am opposed to injunctions and believe such action is unfair. I favor voluntary agreements and contracts arrived at by negotiations through the collective bargaining procedures.

"In my opinion, a really adequate pay raise is due the good railroad workers who should continue negotiations and collective bargaining. In my opinion, it is a mistake for Congress to set the terms of labor-management contracts. This sets aside and destroys collective bargaining.

"Congress, setting provisions of labor-management contracts, including wages, hours, pensions, overtime, vacation periods, and fringe benefits, destroys decisions by industry-trained management. Congress action setting wage terms bars and cancels the rights of railroad workers and industry employees who are entitled to representation by union representatives duly elected by their free choice.

"I strongly oppose Congress taking jurisdiction to set the provisions, wages, and so forth, in private industry for management, labor, and employees."

Congressman William Springer of Illinois, the ranking minority member of the committee, explained the Committee had put in the context of this resolution the same provisions contained in the December legislation.

At that time the bill brought from the committee to the floor of the House was merely mandatory extension of time imposed to allow both parties to further adjust their differences. When the bill was brought to the House floor, it was amended to allow for increases in wages on January 1, 1970 and November 1, 1970.

Congressman Springer indicated the Committee more or less followed the dictates of what the House said ought to be done last December.

He also noted that the committee could not assure the members of the House of a settlement or that the need for legislation would not arise again on October 1, 1971.

Congressman Springer also remarked that many bills were introduced to provide permanent legislation and are pending before the Commerce Committee. Furthermore, the Interstate and Foreign Commerce Committee would try to hold hearings on some kind of legislation. He said that it will not be an easy job to get legislation out of the Commerce Committee with reference to arbitration. There will be a lot of political consideration in this bill which will become rather involved when the committee gets into it, he noted.

Congressman John Moss of California stated he thought some attention "should be given not to percentages here but to actual earnings and the earning patterns of the people we are affecting by the legislation which the committee seems to be so very anxious to adopt here at this moment.

"These are the signalmen. They are skilled electricians. Now, electricians in the building trades will get from $7 to $9 an hour today. These electricians in 1962 were drawing $2.65 an hour. Today, 10 years later, they are drawing salaries of $3.81 an hour. If they work full time for a year, they will earn $7,847. We have very, very few Federal employees who draw salaries that low and almost none on our own staffs drawing salaries that low. We are talking about low-salaried people, skilled people. The amendment will put into effect a 5 percent or 19.7-hour week and a 30-cent increase for a total of 49 cents and bring them up to $4.40 an hour.

"Let me assure you that this is not an arbitration action by the Congress imposing a high-pay increase on inflationary wages of these people. They waited 20 months to try to get a part of that package.

"Some have asked why we do not have permanent legislation. We do not, because we are dealing with one industry in this country where for several years we have never permitted free collective bargaining to work and as a result, in almost every skill employed in the industry it is under the prevailing wage for comparable work at comparable levels of activity in other industries outside of the railroads."

He continued, "Mr. Chairman, this pattern is not going to open it up, and bring it up today to the levels of comparable employment.

"Mr. Chairman, I make these observations, because I think you ought to know that we are not doing anything here to load down the railroads and we are not giving any prize to the workers.

"Mr. Chairman, I want to take an additional minute here—and I would like the attention of the distinguished minority leader, the gentleman from Michigan (MR. GERALD R. FORD), because as I left the hearings today following a quorum call—and we were interrupted about five times in those hearings by quorum calls—I noticed on the ticker tape out here where the gentleman had characterized the committee as dragging its feet. I want to assure you that our committee did not drag its feet on this issue or any other, today or any other time. We proceeded expeditiously to deal with the request of the President, and in all responsibility we should at least have taken the time, and we took the absolute minimum, to hear the witnesses from the Department of Labor, from the unions and from the railroad bargaining group. We concluded the hearings at about 4 o'clock and went back at 4:15 to draft the legislation and get it up to the Rules Committee so that it could be brought to the floor of the House.

"That is not a characteristic of foot-dragging, and I want the RECORD to reflect the fact that the Committee on Interstate and Foreign Commerce does not drag its feet on any important issue."

At this point Chairman Staggers asked for unanimous consent of the joint resolution as read and now open to amendment at any point.

Congressman Robert Eckhardt of Texas wanted to "compliment the committee and its chairman for meeting an immediate emergency and, particularly for the intensive study of the problem that was given in the short period of time available.

"I also recognize the dilemma that is presented to this House whenever the right to strike is suspended or sought to be suspended by a proposal like that the President made in this case. The quid pro quo that we have devised in these circumstances is the granting, along with the suspension of the right to strike, of a certain part of the demands contained in the union's proposals. Perhaps this is necessary, but it is most lamentable. What we are doing on this floor, I think for the third time, and only the third time, if I have counted right, is writing substantive provisions of a labor agreement. Now, this is probably the worst thing that Congress can do, and Congress is probably the worst equipped body to do it. And yet as for you on the other side of the aisle who complain about writing these provisions respecting wages, if you would do exactly what the President asked us to do and suspend the right to strike, you would do the same thing. The right to strike is a part of the relationship between labor and management, and you are writing a contract in the form of a statute prohibiting the exercise of that right.

"Once you get into this can of worms you have got to go the whole way, and we are going farther and farther, and we will continue going farther and farther unless we provide, at the conclusion of any period in which the right to strike is suspended, that the bargaining relation which had brought us to crisis situation be altered, that the pattern of nationwide bargaining and suasion be broken up.

"And what is that situation? It is a situation in which labor and management bargain nationally with respect to all railroads. When a strike occurs, all railroads are struck, and this is a completely inadmissible result that Congress is always going to change when we are called upon to stop a strike that will happen tomorrow. We are in the position tonight of being called upon to go along with the Senate amendments verbatim because the Senate has adjourned and gone home. So we do not consider it any further.

"We give up our rights as a body and accept the Senate measure, because we think it is not admissible to permit a strike to continue tonight.

"That is not any way to do legislative business, particularly legislative business that deals with such an important matter as the basic right to strike.

"I suggest this amendment as a means of ending both labor and management's coming to us to pull their chestnuts out of the fire, as a means of ending the writing of a labor agreements on the floor of the Congress of the United States.

Congressman Eckhardt explained, "The amendment does one simple thing. It provides that at the termination of this period in which the strike right is suspended, on October 1, there is no further limitation with respect to selective strikes. If you put in this provision and you come down to October 1, I will assure you that there will be a settlement before that date. There will be a settlement before that date because there is then the pressures of a strike. Therefore this amendment does just one thing: It deals only with this dispute, but permits the ordinary process of a single strike against a single employer at that time."

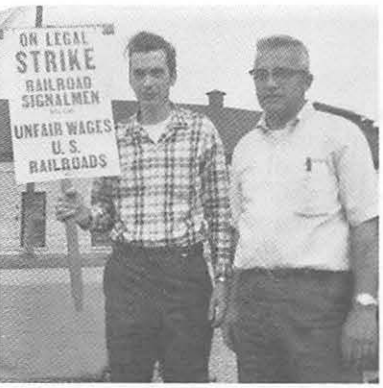
Congressman Fletcher Thompson of Georgia noted it appeared to him as though it would unbalance a labor management situation. At the present time the Railway Labor Act provides for either a national strike or a national lockout. He pointed out Mr. Eckhardt's amendment would provide for selective strikes but would prohibit selective lockouts.

Mr. Thompson said he concurred there is some merit to eliminating nationwide strikes and may support legislation for individual company by company bargaining and should that break down, strike. But Mr. Thompson said it appears to be inequitable when all the weight is put on one side and it is not balanced on the other side.

Congressman Eckhardt noted the amendment does not outlaw a selective lockout because "that is already outlawed under the Railway Labor Act. What it does is outlaw a retaliatory nationwide lockout in case the union strikes selectively. If we do not do this, of course every strike could be made a nationwide strike by the employer extending it to a lockout, and it would be of no value whatever to the objective we are seeking here to bring about the old-fashioned type of bargaining where one strike could occur which does not shut down the whole Nation's railway system."

Congressman Staggers rose to oppose the amendment and explained his reason, "Ordinarily I would be for the amendment. I voted for the amendment in committee today. But this is not the time to bring it up. As the gentleman in the well said, the Senate has gone home. If we are to settle this strike tonight we have to vote on this now."

Congressman Roman Pucinski of Illinois asked Mr. Staggers, "whether or not if we do in fact adopt the suggestion made by the committee, as amended, this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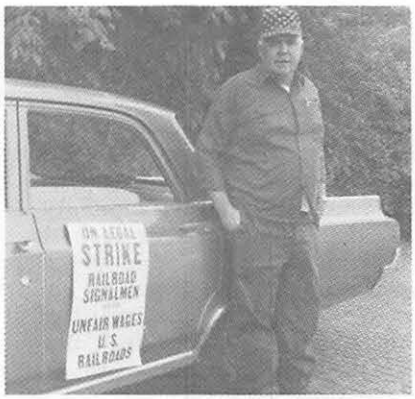
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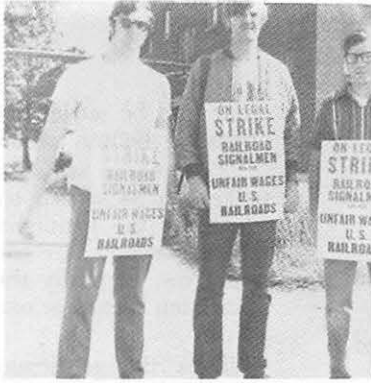
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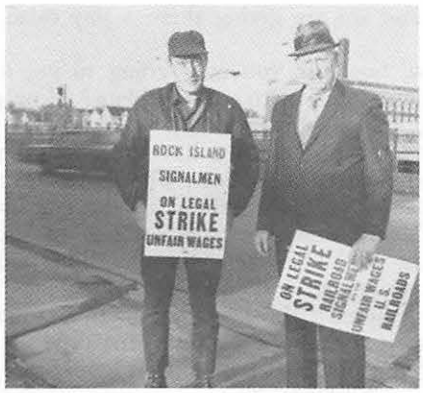
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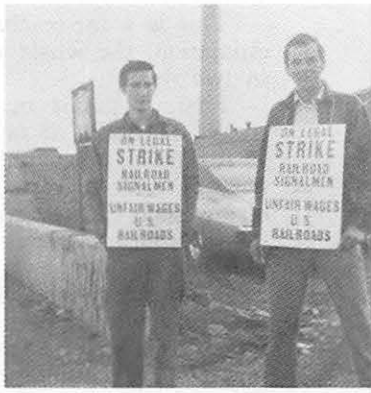
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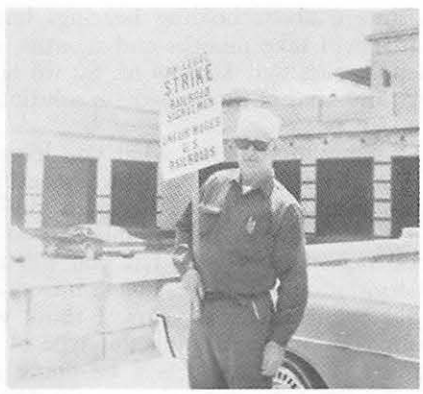
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strike can be settled tonight and the railroads can start operating before tomorrow?

"The reason why I ask the question is indeed if the strike can be settled tonight perhaps the thing to do is to accept the gentleman's recommendation. But if, for reasons beyond our control, this strike is going on into tomorrow, certainly the suggestion made by the gentleman from Texas is one worthy of consideration by the House.

"Does the gentleman know whether or not, if we act affirmatively and accept the other body's version, the trains can start rolling tonight? Or are we going to lose another day for reasons beyond our control?"

Chairman Staggers answered that if the strike continues it would be illegal. He felt every union man would abide by the law.

He continued by saying he could give all the assurance he has in the power of the courts, and their coercive forces, that the men will be back to work as soon as possible. But that would not be needed, because he was sure the union leaders and the men would obey the law.

Congressman Springer then noted, "This is a very, very far-reaching amendment, as is any revision of the Railway Labor Act. As far-reaching an amendment as this ought to receive hearings. This morning is the first time I ever heard of this amendment.

"This is a far-reaching amendment changing, in my estimation, the whole tenor of the Railway Labor Act in two ways.

"First, it points out and makes legal the selective strikes. Secondly, it says that:

'It shall be unlawful for any carrier at any time to lock out any craft or class of its employees or any segment of any such class or craft or in any manner to diminish its transportation service in consequence of any dispute. . .'

"These are far-reaching words that may change the whole Railway Labor Act. This is not the time to consider this kind of an amendment, in my opinion.

"Now, we had this up in the committee and it was defeated by a vote of 18 to 12, I believe. I believe that is the correct figure. No hearings have been held on it. I think the committee acted correctly this morning, because we did realize the implications of it and the complications of it in trying to adopt an amendment at this time in these proceedings.

"For that reason, I agree with the chairman that this amendment ought to be voted down."

Several Congressmen spoke for and against Congressman Eckhardt's amendment and then the Chairman called for a question the amendment was rejected.

Before the final vote was taken, Congressman J. J. Pickle of Texas made the following remark:

"Mr. Chairman, as a member of the Commerce Committee, I rise in opposition to the joint resolution now pending before us. I do it with great reluctance. I have the highest respect for my chairman who is most sincere in trying to find a solution. I have the highest respect for the members of the committee.

"However, Mr. Chairman, for nearly 10 years we have been handling this type of legislation in this manner, case by case, on an ad hoc basis.

"The same speeches were made last December that are being made tonight. This is the fourth or fifth time in the last 15 months that we have been called upon to settle a strike. We have reached a point where we must say no. Each time we sincerely believe that we have settled this matter, but we have not settled it, and we come back again with the same difficult situation facing us.

"On October 1 it is likely that you are going to have the same problem, and we will have the same speeches, and we will have the same pious cries for permanent legislation, and we will vote for another ad hoc solution, and then we will wait until another strike occurs."

He continued, "The gentleman from Texas made a very pertinent observation when he said that we are dealing in substantive changes here when we advocate this kind of a bill.

"I have voted for postponement in the past, I am no lily-white. I have voted to give some increases in the past, and I have voted for some of these changes, as many of the other Members in this House have, thinking that it was a definite solution. But we have not made any solution to it, and if we vote it again tonight—as I think we will, because the hour is late and the Nation is suffering—if we vote it again we will have the same thing facing us next October 1."

"I do not believe that labor is happy. Surely friends of labor cannot be happy that we are making substantive labor changes here by this action. They did not get what they wanted. Indeed, they do not get even as much as the Emergency Board had offered them at one time. And I cannot believe, Mr. Chairman, that management is going to be happy because we are not settling the strike, and we are giving them a pay raise in the meantime.

"Now, how are you ever going to get any kind of a permanent solution to this problem? How can you blow hot and cold in this manner?

"I say to you that we have reached the point where we must register our voices. Therefore I am going to just simply vote 'no' as a protest to the continuation of this type of legislation. We have reached the point where we must say 'No.' I will tell you why. The public is the one that is suffering. I doubt very much, as intense as the feeling is here, if the Members of this House really know how much the public protests this type of solution. The American public, I tell you, is going to demand that something be done.

He asked, "Will you do it with hearings? The chairman is sincere about holding hearings but he has just said that it will take months and months, and indeed it has taken 7 years that I know of. So we have no reason to expect any kind of an immediate solution to the problem.

"So I submit to you that what you have done, Members of the House, is that you have continually—and I have also been a party to it—voted the exception to where it now is the rule. I submit to you that there is very good reason to believe that you will not have permanent legislation, although I have introduced and have had a bill before us for 6 years. I think we have set a pattern by continually meeting this type of emergency in this manner. I submit you will be doing it again next October. I submit it will be done again. We have accomplished little.

"For that reason your chances of getting permanent legislation, my friends, is not good. The only way we are ever going to do it is to say, 'No' in these special cases —and get to the business of making some permanent changes.

"In the meantime we are going to go on down the patchwork path and do the same thing we have. I hope the membership, enough Members in this body will vote 'No' which is the same as saying to the American people 'This—and no further.'

Mr. Pickle continued, "we are in the second day of another situation shutdown of the Nation's railroads. Already economic shock waves are spreading throughout the many industries who haul by rail. If the strike goes on how much food will waste? How many people will lose their jobs?

"Once again, the Congress is poised and at the ready with a traditional answer—unfortunately, that answer is patchwork legislation.

"The House will remember that I have—for 6 years running—introduced permanent legislation which incorporates a choice of procedures, or an arsenal of weapons which would be available for the President to use in the question of national transportation tieups.

"Last year, President Nixon sent up his version. Also, several of my colleagues have introduced versions of permanent legislation. We have seen bills introduced by many of our colleagues: Congressmen ECKHARDT, JARMON, ADAMS, HARVEY, and others. At least our small band recognizes the need to up-date the antiquated machinery of the Railway Labor Act. Our approaches vary, but at least we are willing to make the effort to save collective bargaining. It is not working now.

"There will be no legislative heroes. Someone will get branded by either labor or management. However, neither labor nor management have clean hands in the matter.

"Mr. Chairman, the pattern is too painfully clear. Both House and Senate committees will meet, pass out temporary legislation, and then forget the long-range problem. Forget it, that is, until another strike emerges.

"I am weary of the Congress acting as an arbitration board. I ask my colleagues to join me in this request for action on permanent, long-range solutions to a permanent, long-range problem.

"This nation simply cannot withstand the rigors of a national transportation tieup. We should not have to. We should modernize the labor laws.

"I call for immediate hearings on this needed legislation.

"Over and over, I have asked for hearings.

"Over and over, I have presented my legislation to the House.

"Over and over, I have been met with complete silence.

"Perhaps the noise made by men not working—perhaps the noise made by trains not running will at last help my bill to be heard.

"Mr. Chairman, I cast no aspersions on my committee. I am certain that many felt each time we patched up a transportation dispute that this would be the last. This hope was reenforced by the court decision allowing selective strikes.

"But the hard, cold fact remains—temporary solutions will not work. Ad hoc legislation will not work. We need to act now to update our labor legislation."

The Speaker called for a question on the passage of the joint resolution and it passed. The Clerk called the roll and when the question was taken there were 264 yeas, 93 nays and 75 not voting.

The Journal felt all our members should be fully informed of our Senators' and Representatives' comments on the floor of the United States Congress and should be printed.

When President Nixon signed this joint resolution into law on Tuesday night, May 18, the Railway Labor Act was extended to prohibit the Signalmen from striking until October 1, 1971.

Rail 'Selective' Strikes

THE U.S. COURT OF APpeals for the District of Columbia ruled that the United Transportation Union (UTU) has the legal right to conduct selective strikes against railroads in pursuit of a national contract agreement, provided it acts in good faith.

Reversing a District Court decision of March 10, a three-judge panel sent the case back "for such further proceedings as may become appropriate" in the light of future developments.

The only proviso the appeals judges attached to their ruling was that the union must give reasonable notice of a strike, and railroad management must give like notice of a lockout. The judges said two weeks "is a bench mark for reasonable notice."

UTU President Charles Luna called the decision a "step forward" toward settlement of the long contract dispute with 170 major railroads. Union Counsel Lester Schoene said the court adopted "completely" the UTU's legal position in urging the judges to set aside the ruling by District Judge John H. Pratt that a union must strike all railroads or none under the Railway Labor Act.

"The union is giving careful consideration to the court's opinion, and will steer its course along those lines," Counsel Schoene said.

10 Percent RR Increase Passed By House

LEGISLATION FOR A 10 percent increase in Railroad Retirement annuity benefits was passed by the House on April 28 by a record vote.

While the bill H.R. 6444 passed the House, an identical bill, S.1304 moved ahead in the Senate with hearings before the Senate Railroad Retirement subcommittee headed by Senator Allen Cranston.

Senator Cranston's committee scheduled a hearing on May 13 at which time the Senator declared that in view of the 10 percent increase previously voted under Social Security, "equity requires" that the same increase be approved under Railroad Retirement at the earliest possible time.

Because some provisions of Rail-Roard Retirement are linked to Social Security over 28 percent of the rail beneficiaries have received or are receiving the 10 percent increase back to January 1, 1971. This requires immediate action on the increase for the other 72 percent of the beneficiaries whose benefits are based on career service in the railroad industry. The increase is essential to counterbalance the rise in living costs.

A White House aide, Richard P. Nathan, told Senator Cranston's subcommittee, the administration supported the 10 percent increase, but only if it is made effective one year later, that is January 1, 1972.

The Social Security increase was included in the June 1 checks and retroactive payment will be made later in the month.

Office of the

SECRETARY-TREASURER

New Benefit Year for Unemployment and Sickness Benefits

JULY 1 IS THE FIRST DAY of the 1971-72 benefit year for railroad unemployment and sickness benefits. If you work for a railroad and then lose your job or get sick or injured, these cash benefit payments from the Railroad Retirement Board will help to make up for lost wages. All employes, therefore, should be aware of these benefits and how to claim them.

Payments are made for all days of unemployment and sickness over 4 in 2-week claim periods except that for the *first* 2-week claim period for sickness in each benefit year, benefits are paid for all days of sickness over 7. Most claimants receive the maximum daily benefit rate of $12.70. Benefits amount to as much as $127 for a 2-week period.

Normal unemployment and *normal* sickness benefits are each payable for up to 26 weeks. *Extended* benefits of each type can be paid for an additional 13 weeks if you have 10 years of service, or an additional 26 weeks if you have 15 years of service. To be eligible for extended unemployment benefits you must not have voluntarily retired or have left work voluntarily without good cause. To be eligible for extended sickness benefits you must be under 65 years old (normal retirement age).

You are qualified in the new benefit year if you had railroad earnings of at least $1,000 in calendar year 1970, not counting more than $400 for any one month. If you had no railroad service before 1970, you also must have worked in at least 7 months of that year. On the other hand, if you have at least 10 years of service, you may, under certain conditions, be eligible for benefits beginning July 1, 1971, even if you did not earn $1,000 in 1970.

For instance, if you did not earn $1,000 in calendar year 1970, you can still receive *extended* unemployment benefits in the new benefit year if you have 10 years of service and received any normal benefits for unemployment in the 1970-71 benefit year. This also applies to benefits for sickness.

And, if you cannot qualify under the above conditions, you may still be able to qualify on the basis of your 1971 rather than 1970 railroad earnings. To qualify on this basis you must have earned at least $1,000 in 1971, have 10 years of service and be unemployed or sick for at least 14 consecutive days. Other conditions for eligibility are the same as those given above for extended benefits.

If you become unemployed, you should register for benefits with an unemployment claims agent. Since agents are railroad employes, you can usually find one at or near the location of your railroad job. After the claims agent takes your application and claim for unemployment benefits, he forwards them to a Board district office.

Applications for sickness benefits (Forms SI-1a & b) can be obtained from railroad employers, railroad labor organizations, or any Board office. An application (which includes a doctor's statement of sickness) is required at the beginning of each spell of sickness. The Board suggests that you obtain an application to keep on hand for use in claiming sickness benefits, and that your family know where the form is kept and how to use it. Also, it is advisable to keep your BA-6, Certificate of Service Months and Compensation, with the application. Your BA-6 shows your social security number and includes instructions on claiming benefits.

If in the future you become unable to work because you are sick, complete your application, take it to your doctor for completion of his part of the form, and then mail it directly to Railroad Retirement Board headquarters in Chicago. This should be done by the seventh day of the illness for which benefits are claimed. It helps the Board to process your application if the right-hand section of your Form BA-6 is also enclosed, and it is important that your social security number be shown correctly on the application. If you are too sick to complete the application, someone else may do this for you. If the application is not filed on time, benefits may be delayed, or in some cases even lost if no acceptable explanation for the late filing is given.

The Railroad Retirement Board publishes informational pamphlets on unemployment and sickness benefits. You can obtain these pamphlets without cost at any Board office or by writing to the Board's Information Service, Railroad Retirement Board, 844 North Rush Street, Chicago, Illinois 60611.

Members of the Brotherhood of Railroad Signalmen on strike May 17 and 18 qualify for unemployment benefits.

If you were unemployed for more than four days in a fourteen day period you should apply for unemployment benefits.

The Railroad Retirement Board has special application forms to be used when applying for unemployment benefits during the strike period. These forms will be furnished to all unemployment benefit claim offices.

All members should promptly file these claims to insure against any loss of benefits.

By SIDNEY MARGOLIUS, for The Signalman's Journal

MODERATE-INCOME FAMilies frightened by the sharp rise in medical and hospital costs have become the target of an increasing barrage of newspaper and radio advertising for mail-order health insurance policies.

In fact, letters asking for evaluations of such policies have become the leading reader inquiry that we get. Such pleas for assistance come from both retired people whose group insurance has run out, and younger families worried about rising costs in comparison to present coverage.

Medical costs in general, but excluding medicines, have gone up 85 percent in a little over ten years. The runaway costs of hospital care are especially terrifying. Hospital charges have gone up 200 percent in that period and 44 percent in the past four years. More increases are coming. Various regional Blue Cross plans have filed for rate hikes this year of 14 to 46 percent.

So you can see why an increasing number of mail-order sellers have jumped into the health insurance business with what seem like low-priced policies. Unfortunately, there are not many places where you can get an evaluation of a policy. You may be able to get some information about the company's reputation from your local Better Business Bureau but not an evaluation of the policy itself. Your state insurance department can tell you if the company is licensed in your state, which can be some help later if there is actually a subsequent breach of the contract. But this is not much help in choosing a policy because the actual contracts may be more specific than the ads.

Nor can we evaluate specific policies because of the multiplicity of them, and the meager information that readers forward when they ask for help.

Actually the meager information provided is not the fault of the readers as much as of the insurance companies and the newspapers and radio stations which carry this advertising. The ads give little information about the limitations, and the contracts themselves are hard to understand.

Many of these mail-order insurance companies are merely advertising promoters who in turn re-insure your policy with other larger insurance companies. One mail-order insurance company president asked me if I would recommend his policy. I asked how it was different from all the other policies paying benefits of $100 a week for the same premium cost. "It isn't," he said frankly.

The real problem is rejection of claims on the basis of "pre-existing conditions." Some mail-order sellers will enroll you with no medical exam. But one of the largest such sellers then does its underwriting on the claims; cancelling after the claims come in, to make up for the initial non-selectivity.

YOUR MONEY'S WORTH
by Sidney Margolius
BUYING WIGS BY MAIL
HAS CAUSED MANY TEENAGERS AND ADULT WOMEN TO LOSE THE MONEY THEY SENT IN RESPONSE TO SUCH ADS IN MAGAZINES. SOME MAIL-ORDER ADVERTISERS HAVE MERELY POCKETED THE MONEY SENT IN WITHOUT BOTHERING TO SHIP WIGS. OTHERS SENT BUYERS CHEAP WIGS THAT LOOKED LIKE HALLOWEEN COSTUME WIGS.
BUYING IN LOCAL STORES IS SAFER. YOU CAN SEE WHAT THE WIG LOOKS LIKE. BUT EVEN LOCAL STORES SOMETIMES SELL CHEAP SYNTHETIC WIGS THAT COST THEM $5 TO $6 FOR AS MUCH AS $30!
GIVE YOUR DOLLAR MORE POWER
WHEN YOU SHOP FOR WOMEN'S AND CHILDREN'S APPAREL INSIST ON THE LABEL AT THE RIGHT. AT THE LEFT IS THE LABEL OF THE LITHOGRAPHERS AND PHOTO-ENGRAVERS INTERNATIONAL UNION
UNION MADE
ILGWU

The loophole in many of the mail-order health insurance contracts is this provision: "No claim or loss incurred after two years from the date of this policy shall be reduced or denied on the ground that a disease or physical condition not excluded from coverage by name or specific description effective on the date of loss had existed prior to the effective date of coverage of this policy."

Now that sounds like a helpful, beneficial provision. But note that phrase "*after* two years." The St. Louis Better Business Bureau points out that translated into simple English, this paragraph means that there is a two-year waiting period for coverage on any disease or physical condition that existed prior to the effective date of the policy. Since almost anything can be considered a previous illness except an accident, there are few diseases or conditions which do not exist before hospitalization may be required, even though they had not been previously treated or diagnosed.

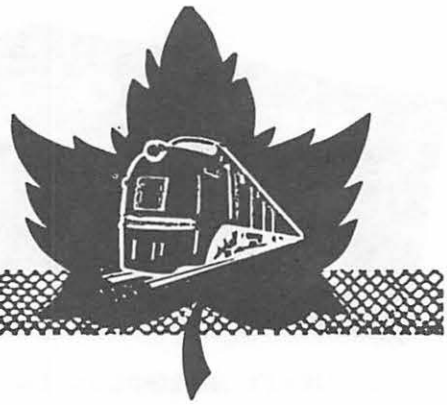
There is no doubt that state insurance departments and the Federal Trade Commission should require more information in ads about the potential cancellations, or even forbid such blanket two-year provisions for pre-existing conditions.

The only ultimate solution to the problems of booming health-care costs is national health insurance combined with programs to restrain rising costs. Meanwhile, it is best for retirees to see if they can get into Blue Cross "65" plans.

Younger families who already have Blue Cross or other group hospital insurance may not need additional insurance. If you feel your coverage is too limited, many Blue Cross plans will provide supplementary coverage at a moderate extra cost. That "$100 a week" or "$400 a month" is not as useful as it sounds in an era when costs of hospital care are approaching $100 a day in many large cities.

And by no means sign up for any mail-order health insurance without first getting a copy of the policy and studying it to figure out the limitations.

news from Canada



THE CANADIAN RAILWAY Labour Association, on April 19, presented a memorandum to the Federal Cabinet in Ottawa.

Grand Lodge Representative H. A. Stockdale, a member of the Association's Executive Committee, reported fifty union representatives were present when the memorandum was presented to the Ministers of Labour, Finance, Housing, Manpower and Agriculture. Only the Transport Minister, who was fogged in, in Newfoundland, was not in attendance.

The brief deals with many subjects. The two which are of main concern to Signalmen are those dealing with the National Transportation policy and the new Unemployment Insurance Bill.

The CRLA described the Government's economic policies as failing unequivocally to deal with the two largest economic problems, unemployment and inflation.

ECONOMIC POLICY

The CRLA went on to say, "The ominous threats with regard to possible future policies will only aggravate the problem of unemployment and cause increased hardship for those whose incomes are derived from wages and salaries."

They had hoped that their voice, together with others, might have led to a change in the direction of the Cabinet's policy, if not a reversal of those policies.

It was noted that the employment figures published each month as economic indicators should not be allowed to obscure the tragedy of there being 675,000 registered unemployed in the month of February across Canada.

The CRLA pointed out that through the year 1970 Government actions to soften its monetary and fiscal policies were too little and too late and called for immediate steps to be taken to stimulate the economy so that a level of economic growth could be attained.

The memorandum expressed disappointment in the Minister of Finance's recent rejection of an immediate reduction in personal income taxes. Such a reduction would be the speediest method of stimulating the economy, the CRLA stated. The Minister was urged to reconsider reducing personal income taxes for low income earners. They also urged the Government to inject more funds into housing construction which again would have an almost immediate impact on the level of economic activity.

NATIONAL TRANSPORTATION POLICY

The CRLA had the following to say on the Transportation and Rail policy:

"We have made many representations in the past year on this matter, particularly to the Minister of Transport and the Canadian Transport Commission. If we are to be completely frank, we must admit that such representations have resulted in nothing more than an increased sense of frustration and, consequently, the problem causes us very grave concern.

"We have studied very carefully the present legislation as it pertains to the general regulation, including the provision for the abandonment and retention of a rail-passenger network. While we are prepared to submit recommendations for specific amendments to the National Transportation and Railway Acts, we feel at this point that such recommendations could more appropriately be made to a different forum, and that it is more important here to delineate some of the inadequacies of the legislation, the inadequacies and inconsistencies in the interpretation of the legislation, and the apparent lack of directives essential in the formulation of a National Transportation Policy that will truly reflect the needs and well being of Canadians as a whole.

"In this context we feel that it must be remembered that the National Transportation Act, passed in 1967, was the result of the MacPherson Royal Commission established in 1957. Many of the recommendations emanating from that Commission stemmed from transportation studies carried out in the late fifties. We respectfully submit that the conclusions of many of those studies are totally alien to present-day thinking, in that they ignore completely the quality of life and environment. It is no exaggeration to say that under the present legislation, the entire question of rail-passenger transportation begins and finishes in a negative vein. The Act has a built-in bias in favour of economic viability as the main criterion for determining railway-passenger transportation needs. We suggest that the premises on which the Act was formulated are not sufficient.

"Social agencies, private citizen groups, indeed, even Ministers of the Federal Government, albeit belatedly, have expressed dire warnings of serious and obvious trends to greater urban concentration, which by conservative estimates will see the majority of Canadians living in three large conglomerations by the end of the century. The unchecked urbanization that we have seen so far has brought with it an almost unbounded proliferation in automobiles, with the result that already the highways within and in the areas surrounding these urban centres are inadequate, to say the least. Likewise, large tracks of expensive real estate are being gobbled up in the provision of minimum peripheral facilities.

"Yet, fully aware of the immobility that is already evident and the

deterioration of the quality of life, we are nevertheless allowing the decimation of railway-passenger service with the full knowledge that it holds the most acceptable means of moving masses of people on an urban, interurban and national basis. We submit that to proceed as we have been doing over the past two years, would be complete folly.

"With the increasing concern for the quality of life and environment and their deterioration through urban concentration, we suggest that the aims of the National Transportation Act are outdated and, hence, in need of immediate revision.

"As we have already indicated, we submit to you that far too much emphasis is placed upon economic viability of the modes of transportation in the Act. Even allowing for this fact, the way the Act is being applied, there exists a double standard—one for rail passenger services and one for other modes of transportation. Whatever emphasis is placed upon economic viability, and we do not deny that it should form part of the criteria, but not more than a secondary consideration, consistency must prevail so that all of the criteria, including economic viability, will extend to all modes of transportation equally.

"Dealing exclusively with economic viability, it would appear from recent statements made by officials, and decisions of the Canadian Transport Commission, that there are signs of recognition at last being given to the fact that there is an inequity in the form of assistance provided to one mode of transportation as opposed to another. This view has been pressed on the Canadian Transport Commission on numerous occasions by a growing number of organizations and individuals.

"In a speech to the Transportation Research Forum of New York, Mr. R. Cope, a vice-president (research) of the Canadian Transport Commission, said:

'Has the time not arrived when sophisticated and continuing consideration should be given to the relativity of support or assistance provided one form of transportation, as opposed to another, or to the question of how assistance to regions of the country and to industries in meeting transportation costs is most efficiently administered? Has the time not come when some thought should be given as to whether or not there is a role for the Government in supporting maintenance of the other basic multi-commodity-way system—the railways?'

"Later in the same speech Mr. Cope continued:

'The other basic way which Government could attempt to balance up their support for "way systems" and reduce intermodal inequities would be to make contributions to railway roadbed maintenance which were equivalent in some way to the taxpayer's burden for highway systems.'

"In his opening remarks, Mr. Cope went to considerable ends to point out that he was speaking not as a commissioner, but in the capacing of a 'researcher', which, in our opinion, makes his observations even more authentic. It is also clear in his remarks that the inequity that he recognizes works to the disadvantage of the railway-passenger system.

"That our view in respect to the inequity in assistance given intermodal transportation is accurate is supported when the Commission itself left this question unchallenged in rendering its decision pertaining to the discontinuance of the 'Canadian', issued January 29, 1971. The Commission's Order said:

'It was argued repeatedly at the hearings that the airlines did not pay the full cost of airports, aids to navigation, and other infrastructure provided at public expense. It was also argued in several submissions that highway-passenger transport, both by public motor carriers and by private motorcars, were substantially subsidized, other than expenditures on highways which were not recovered fully from the users.

'One solution in providing for the cost of facilities for air-carriers has been approved by Parliament in the form of a tax on tickets for air travel, and it is understood that the Government has given consideration to other ways of meeting these costs.'

"The Commission went on to say that:

'If highway-motor transportation, both commercial and private, which is the main competitor of the railways, is indirectly subsidized by provincial authorities, this situation cannot be changed by any federal authority.'

"While such inequity prevails, and it is nothing short of tragic that solutions should only be sought at the eleventh hour, we contend that the present action being taken in regard to passenger trains is in conflict with Part 1 of the National Transportation Act.

"Injecting massive sums of money, by way of indirect subsidies for other modes of transportation, that very often operate in direct competition to the rail service, will only aggravate the situation; indeed, weaken further the economic position of rail-passenger service, and, at best, shift the responsibility for economic support for passenger transport from one level of Government to another. In our view, this is not only diametrically opposed to the very essence of the National Transportation Policy set forth in Part 1 of the Act, it is a calculated negation of Federal Government responsibility to the provinces and the people of Canada.

"Until a study is made into the magnitude of the inequities prevailing and until an overall solution, including arrangements with the provinces to deal with the indirect subsidies being paid to highway transportation, is provided, we recommend that a complete freeze be placed upon all applications or proposals for the discontinuance, reduction or alteration in the levels of rail-passenger service now in operation. Until then we feel it would be presumptuous on our part to make specific recommendations regarding amendments to the present legislation, but would like to refer to specific areas clamoring for attention.

"However, interpretations have been placed on the legislation that make no commitments to provide public hearings where there is an adjustment in the number of trains operating or a reduction or alteration in the service, such as in dining and sleeping facilities. As a result there have been abuses in the adjustment, alteration and reduction of service which we believe were never intended under the Act.

"In our memorandum last year, we made reference to the 'apparently deliberate attempts by the railway to downgrade the service to the public in an attempt to secure either the complete abandonment of the service, or at worst, the 80% subsidy from the Government. It is often a very fine line which defines the difference between reduction in service offered and the complete discontinuance of that service.'

"We submit that at the very least, public hearings should be held whenever there is a reduction or alteration or significant change in the character of the service offered by the railways, as experience has proven that in many cases, a reduction or alteration or change in the character of service precedes an application to discontinue the service, thus warranting such hearings.

"We submit that the public interest must be assessed in terms of the value of a network of rail-passenger service, and not simply of one particular service. We submit that the public-interest features may extend considerably further than those advanced by individuals at a particular public hearing. In other words, it is not sufficient for the Canadian Transport Commission to look at the costs and revenues as submitted by the railways for such a service and merely weigh those arguments against the view of the public at a hearing.

"In this respect, the record already shows an inconsistency in the approach taken by the Canadian Transport Commission in some of its decisions already handed down, respecting certain passenger services, and, hence, the apparent lack of direction which we mentioned earlier.

"We have held the view, together with others, including the Government of Ontario, that the overall passenger - transportation requirements of the country must be developed in concert, rather than by an ad hoc determination of the need for specific rail-passenger services, in isolation.

"This view was pressed particularly by the Government of Ontario at hearings held in Southern Ontario. The Canadian Transport Commission, however, rejected those arguments on the grounds that it would be delinquent of its duties under the Railway Act if it did not proceed to make determinations regarding specific applications for discontinuance.

"However, in its decision on 'the Canadian', the Commission accepted arguments by our Association, the Government of Ontario and others, that Canadian Pacific Railway's transcontinental passenger service could not be looked at in isolation from the Canadian National Railway's and, in view of this, determined to deal with transcontinental service in an overall context.

"In Mr. Cope's speech, he makes reference to the Railpax network in the United States and suggests that:

> 'In Canada, we already have a mini-plan along these lines, in that our National Transportation Act provides that the losses incurred by railways in maintaining uneconomic branch lines required in the public interest, can be offset by federal subsidies.'

"It should be noted that the 'mini-plan', as Mr. Cope describes it, only refers to branch lines and makes no reference to any plan, let alone a 'mini-plan' for a passenger network in Canada.

"We believe there is an inconsistency here, which results from a too stringent interpretation of, and deficiencies in the legislation in the areas that we have referred to. What is required is direction to be given to the Canadian Transport Commission by the Government and appropriate and adequate amendments made to the legislation, so that an overall plan of rail-passenger network, complemented by the other modes, can be established.

"We re-assert that there must be a total freeze on all further attempts to discontinue, reduce or alter or change the character of rail-passenger service, until the present legislation is re-assessed. Already, it has been demonstrated that a cross-section of all political parties in the house of Commons has recognized the deficiencies in the present legislation.

"We strongly recommend that the present legislation be referred immediately to the Standing Committee on Transportation and Communications for their intensive study. The terms of reference of such a study should be wide-ranging and interested parties invited to make representations before the Committee."

UNEMPLOYMENT INSURANCE

The CRLA had this to say on Unemployment Insurance Bill 229:

"At the time the White Paper 'Unemployment Insurance in the 1970s' was published we presented our views to the Labour and Manpower Committee of the House of Commons.

"At that time we outlined our general acceptance and approval of the aims of the White Paper. We did, however, caution that the success of any programme would depend upon the implementation of complementary social and economic policies for the future. We made a number of other points which we do not intend to raise in this submission.

"However, now that the Bill has been presented to the House, we wish to raise a number of matters which we consider to be of the utmost importance to the members whom we represent.

"We note that there has been little change in the policy expressed in the Bill as compared with that which was expressed in the White Paper. The doubts and fears which we now hold centre around the regulations which will be drafted to implement the intent of the Bill.

"At this time we wish to express our views as they pertain to the definition of earnings to be included in the regulations. We think it no exaggeration to say that the worth of the Bill hinges upon the interpretation of earnings which will be permissible during the waiting period.

"We do not believe that monies paid to an employee during the two-week waiting period from a negotiated supplemental unemployment benefit plan or from a negotiated health and welfare plan should in any way be considered earnings as defined by the regulations.

"We in the railway industry have for a considerable number of years been the beneficiaries of supplemental unemployment benefits — benefits negotiated in lieu of direct wage payments acquired through the collective bargaining process. To define these payments as earnings would place us in the untenable position of forfeiting our present benefits, to which we are entitled during the proposed Government waiting period in order to become eligible for unemployment insurance benefits, or of maintaining our present benefits under the private plans and forfeiting our rights to unemployment insurance benefits. To impose such a definition of earnings we would consider to be a clear act of discrimination against those organizations which have been successful in securing private benefits in this area.

"We do not believe it is, or should be, the intent of the Bill to place employees who have been successful in negotiating plans which provide lay-off or sickness benefits prior to unemployment benefits in an 'either or' situation. Surely it was the intent of the Bill for payments from the unemployment insurance to secure

basic minimum protection and to supplement the payments under private plans.

"As you are well aware, as far as weekly sickness indemnity programmes are concerned, the majority of illnesses are of a short duration, indeed shorter than the waiting period envisaged in the Bill. As a result of the prevalence of illnesses shorter than fourteen days the insurance premiums for this period are disproportionately high. To define payments from such plans as earnings would only serve to penalize still further employees who may already be disadvantaged by a cut in earnings during a period of sickness.

"We would very much like to see the waiting period cut down considerably, although we realize this would inevitably cause a rise in the level of contributions. However, we have no hesitation in saying that unless the waiting period is reduced considerably, the most important consideration must be given to excluding payments from supplemental and health insurance plans from earnings.

"We cannot express our views too strongly in this regard and ask you to take the most serious consideration to them.

"We believe that a new clause should be added to the Bill, which would require that where the Act results in a saving to a Company in its contributions to private health and welfare plans, negotiated through collective bargaining, such savings shall accrue to the employes in the form of direct payments or other benefits.

"Another area which we would ask you to take under consideration is that part of the Bill which would exclude individuals from unemployment insurance benefits who are in receipt of Canada or Quebec pension plan benefits except for the three-week lump sum payment. We do not believe that unemployment insurance should be used as a supplementary pension plan. Nevertheless we do believe that there will be undue hardship to some individuals if your present proposal is implemented.

"There are still many workers retiring who only have entitlement to the Canada and Quebec pension plans, as well as old age security, and very often as a result are obligated to seek work after age 65. Quite legitimately these people are presently entitled to unemployment insurance while they are available for work but unable to secure work. At the present time individuals retiring at age 65 may claim, in some cases, in excess of one year's unemployment insurance benefits.

"In view of the fact that the Canada or Quebec pension plans will not mature until 1976 and that the maximum monthly payments are now approximately $55.00 per month, we would respectfully recommend that employees eligible for Canada or Quebec pension plan benefits be accorded in excess of the three-week lump sum benefit proposed in the Bill, at least until such time as the Canada Pension Plan matures fully.

"At that time, only when a guaranteed annual income is introduced or Canada and Quebec Pension Plans are revised to such a level that an employee at age 65 will not be forced to seek work, simply to exist, should consideration be given to a cut back of unemployment insurance benefits at age 65."

LABOUR STANDARDS CODE BILL 228

The CRLA was already on record as supporting the principle of legislation which established minimum standards in respect of hours of work, minimum wages, annual vacations and holidays with pay.

MINIMUM WAGE

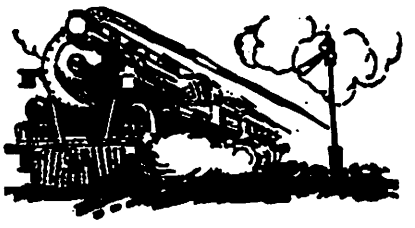
The CRLA suggested a minimum of no less than $2.25 per hour. The present $1.75 falls short of the amount that is required.

It also supports the inclusion of railway hotels in federal jurisdiction which would require all railway hotels to pay no less than federal minimum wage.

HOURS OF WORK

The CRLA is still of the same opinion as was suggested in the Memorandum of February 1969, that the Act be opened for examination and possible revision.

Once the new bill is enacted, no deferment be granted as far as it relates to the non-op employes.



TERMINATION OF EMPLOYMENT

The introduction of this new section to the Labour Standards Code is an area considered to be of great importance if the organizations are to provide employes with the minimum protection from less responsible employers.

The Railway industry has been no stranger to drastic cuts in its work force since the mid-50s. The constant erosion of the work force continues and many of the lay-offs take place with very little notice to employes despite their having in some cases many years of service.

The CRLA firmly endorses the principle as laid down in the Act whereby the length of notice will increase as the number of employes affected increases. It is hoped this section of the Act will be vigorously applied.

MEDICARE AND COMMUNITY HEALTH CENTERS

The Association has had over two years experience with the various health services provided by the Provinces since the enactment of the National Medicare Act in July 1968. Criticism from across the county has centered around the insufficient coverage provided under the Act, at very high premiums in some provinces.

In their submission last year the CRLA asked that the Federal Government extend the legislation to include further to doctor's fees, preventive and medical services. They asked the Government to begin a phasing in program almost immediately with drugs, dental and optical services.

INCOME SECURITY

The CRLA was very disappointed that no attempt was made to introduce the concept of a guaranteed income despite the advantages of such a system.

DEVELOPMENT OF CANADIAN INDUSTRIES

The CRLA has submitted their views to the Canadian Transport Commission. They are opposed to the building of a new rail line linking Crow's Nest Pass with the Great Northern Railway. Such a line would export Canadian jobs.

They have opposed the construction of these new rail facilities on the grounds that it would undermine a major objective of the National Transportation Act, namely to maintain the economic well being and growth of Canada.

YOUR WASHINGTON Reporter

By Richard J. Calistri

NOW THAT AMTRAK (formerly Railpax) is operating a shrunken U.S. rail passenger network, what will be the long-range impact? Will the meager system of less than 190 intercity passenger trains be expanded, or will these trains shrivel further over the long pull?

Also, will more jobs be created after the heavy initial slash, or will employment in passenger service decline further?

These were among the questions widely asked after the new semi-public passenger corporation took over about half the nation's passenger trains on May 1 and let the others die.

The official takeover was preceded by a hectic last minute court battle on the part of railway unions, the National Railroad Passenger Association and other groups, in an effort to force a delay in the start of Amtrak. A similar battle was pressed by some congressional leaders, so as to provide time for consideration of an expanded system, but all such efforts failed to stop the Amtrak inauguration on May 1.

The courts rejected all pleas for injunctions to hold up the start of Amtrak, and Congress did not act in time on proposals for a delay.

However, these struggles were not fruitless. Shaken by the outcry, Amtrak directors indicated that some further runs would be added on a trial basis.

The first such addition was the Buffalo to Chicago route, via Cleveland and Toledo, which had been left out of the original network, on the claim that the losses would be too heavy. Amtrak added the route, on a "provisional" basis, as of May 10, after three states—Ohio, New York and Michigan—came up with preliminary commitments to pay two-thirds of the losses, as provided for under the law creating Amtrak. Also, a connecting Toledo to Detroit link was to be added by June 1.

* * *

Railway unions concentrated their united struggle on obtaining adequate job protection for the employes affected by Amtrak's deep slash of passenger trains.

The law establishing Amtrak specified that "fair and equitable" arrangements must be provided for employes injured by the train discontinuances.

Unions sought to secure full "attrition" conditions—that is, no layoffs by the railroads participating in Amtrak, except as a result of deaths, resignation, retirement and the like.

They sought earlier to negotiate such conditions, but the carriers stalled and refused. Shortly before the start of Amtrak—that is, on April 16—Secretary of Labor James D. Hodgson imposed a set of conditions, and certified them as "fair and equitable" under the law.

These conditions were better than the carriers had offered, but railway unions challenged them in court on the contention that they were less favorable to employes than the law required.

However, both a lower federal court and the U.S. Appeals Court in Washington rejected the union claims, and allowed Amtrak to go ahead without alteration of the protective conditions. Also, the courts turned down the injunction suits against Amtrak brought by other groups.

Nonetheless, the court battle did get some results. The opinions issued by the courts and later interpretations by the Labor Department had the effect of expanding the protections for employes.

Attorney William Mahoney, who had argued the case for the railway unions in the courts, declared that the court decisions and Labor Department interpretations "made it clear that every employe affected whose rights are subsequently modified by an implementing agreement should be made whole." He said this means that "they shall be placed in the same position as if they had not been affected prior to the implementing agreement."

Rail unions are now working to see that affected employes get a square deal under present contracts, under the Hodgson conditions, under subsequent interpretations, under the Appeals Court ruling, and under implementing accords still to be negotiated.

The protective conditions include requirements that displaced employes, who are placed in a lower paying position, shall receive displacement allowances to make up the difference for up to six years; also that dismissed employes shall receive dismissal allowances for up to six years, but not longer than the employe's years of service.

Dismissed employes also have the option of taking lump sum payments. Employes who must move to new job sites will have their moving expenses paid and they will be reimbursed for home-sale losses under certain circumstances. Numerous other protective conditions are laid down. They represent a gain, but they are short of the full "attrition" conditions sought by the unions.

* * *

Moves in Congress for a legislated postponement of Amtrak also failed, largely because of claims by Amtrak officers and Transportation Secretary John Volpe that a delay beyond the legal date of May 1 would jeopardize the entire operation, cause chaos, and perhaps lead to a multiplicity of damage suits by carriers which entered into contracts with Amtrak for operation of the trains.

Here, too, however, indirect assurances were conveyed by Amtrak spokesman that some additional services may still be undertaken. The congressional prodding is expected to produce from Amtrak by June 30 a plan for expanding the skeletonized network, with estimates of the cost of such expansion.

Initially, Congress voted only $40 million to get Amtrak launched, this to be supplemented by $100 million in federally-guaranteed loans and an estimated $200 million to be paid in by 19 participating railroads for the privilege of being relieved of passenger service obligations.

However, Amtrak estimated that even with the skeletonized system, it will sustain losses of $110 million

the first year. Thus, only if Congress put up more money could the system be enlarged, Amtrak contended.

Measures pending in Congress would provide up to $250 million in additional money so at least some of the major routes left out could be reinstated. Whether Congress would vote such money remained uncertain at this writing, but Sen. Warren Magnuson (D., Wash.), chairman of the Senate Commerce Committee, declared bluntly: "We must be prepared in Congress to furnish the necessary funds if we want a really national system of passenger trains."

* * *

Amtrak—officially known as the National Railroad Passenger Corporation—is a sort of skeleton operation itself, with a Washington headquarters, a staff at the top, a timetable, insignia, and various legal and public relations consultants.

The actual operation of Amtrak trains is still performed by the 19 railroads which signed contracts with the corporation, under conditions laid down by Amtrak which reimburses them at a rate somewhat over basic out-of-pocket costs.

Three railroads elected to stay out of the system—the Southern, the Denver & Rio Grande and the Rock Island—and as a result they are obligated to continue their present intercity passenger trains until at least 1975.

The Amtrak name was chosen as a substitute for Railpax on the basis of a poll made by a consulting firm, plus other factors. Amtrak is a contraction of "American track."

David W. Kendall, Amtrak chairman, contended that the initial skeletonized system is a "realistic" one which will "permit a reasonably economic operation while essential development programs are being undertaken to regain public confidence in rail passenger service."

Kendall said the best available equipment has been taken over by Amtrak from the participating railroads, and will be upgraded as time goes along. Eventually, new cars and locomotives will be acquired.

He added that "there is enough flexibility in the statute (creating Amtrak) and in the basic system designations to allow for route changes, improved schedules, or more trains." Kendall said Amtrak's goal is to "make this a growing, living system that is sensitive and answerable to public demand."

Signalmen Back Legislation To Provide Full RR Annuity At Age 55 With 30 Years Service

THE BROTHERHOOD OF RAILROAD SIGNALMEN JOINED ALL other Railway Labor organizations in support of House bill H.R. 8065 that would provide, under the Railroad Retirement Act, for a full annuity at age 55 after 30 years of service, plus other improvements, with the carriers paying the entire tax.

The bill was introduced in the House by Congressman Harley O. Staggers, (D., W.Va.) chairman of the House Interstate Commerce Committee.

If enacted, the bill would make the following changes:

- Provide a full annuity for either sex at age 55 with 30 years of service. Presently the qualifying age is 65 for men and 60 for women.
- The retiree's spouse would qualify for a full annuity at age 55, and by reducing the age at which a qualified spouse may elect a reduced annuity from 62 to 52.
- A provision in the law depriving supplemental annuitants of the 7 percent benefit increase voted by Congress some years ago would be removed.
- The present 50-50 division of payroll taxes between employer and employe for financing the Railroad Retirement system would be ended and the employer would begin paying the entire tax.

Amtrak Sets Policy On Employe Passes

DURING THE MONTH OF MAY, AFTER THE NATIONAL RAIL Passenger Corporation took over operation of most passenger trains in the United States, a spokesman for the corporation announced half-fare privileges for railroad employes and retirees.

According to David W. Kendal, AMTRAK chairman, the conditions and procedures will be:

Half-rate orders will be issued to employes of AMTRAK participating railroads who have one or more years of service and to dependent members of their families "on request of a designated officer of the employe's railroad."

The order can be used to buy half-rate tickets before boarding trains and will be good over all lines of AMTRAK operation.

Half-rate orders will be available in the same manner to retired employes from the designated officer of the participating railroad for which the retiree had previously worked.

Pass requests from active or retired employes of terminals and other rail subsidiaries will be considered on the basis of their involvement in AMTRAK train operations.

The AMTRAK spokesman also noted AMTRAK may suspend the use of half-rate privileges on certain trains or during periods of heavy traffic.

Steamer of a Century Ago

How different railroading was a century or more ago! Here's another locomotive out of the hoary past of the "Iron Horse." It's the Valentia, built by the Baldwin Locomotive Works for the Philadelphia & Reading Railway back in 1869. It was a "Beaut" in its day.

Railroad NEWS IN BRIEF

PENN CENTRAL TRANSPORTATION Company's application proposing installation of traffic control system, in lieu of manual block system between Stamford and New Canaan, Connecticut was approved.

This is a single main track, and the distance involved is 7.6 miles.

It was on this New Haven line that two commuter trains were involved in a head end collision several months ago. The collision probably could have been avoided had the proposed signaling system then been in operation.

CANADIAN NATIONAL RAILWAY placed an order with the Signal and Communications Division of WABCO to design and equip a signal system to be used on a railroad line relocation project near Niagara Falls, Canada.

The order is for $1.6 million.

No date was given on when the project will begin.

DENVER & RIO GRANDE WESTERN has ordered ten sets of Wheel Thermo-Scanner Unit equipment from GRS. Six sets will be installed in Colorado at Pine Cliff, Granby, Florence, Buena Vista, Dotsero, and Una.

Four sets will be installed in Utah, at Floy, Woodside, and American Fork.

DENVER & RIO GRANDE WESTERN will install three GRS outdoor control panels to consolidate present manual operation of switches in its yard at Denver.

Each panel will contain controls and indications for a number of "Speed-Frater" switch machines, eighteen in all.

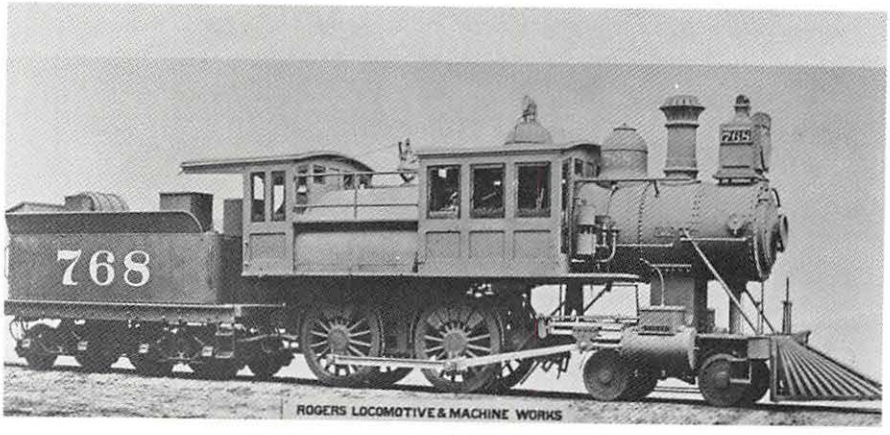
Controls on the panel will be so arranged that the operator need only push a button to change the position of the switch. Since "Speed-Frater" machines have built-in signals, wayside signals will not be used to indicate switch positions.

BURLINGTON NORTHERN RAILROAD will install a centralized traffic control system between Wishram and Vancouver, Washington, controlled from a Traffic Master (R) GRS console at Vancouver.

At each controlled location, a panel inside a box contains levers to operate the switch machine and signals should the code line fail.

Associated equipment checks for track occupancy as far as the next controlled location and, should the track be occupied, prevents the signal from clearing.

SANTA FE will protect its trains in the San Bernardino, Calif. area by installing a GRS Wheel Thermo-Scanner Unit, an ultra fast hot box detector.



A Gay Engine of 84 Years Ago

This locomotive was modern and up to date—back in 1887 when it was built by the Rogers Locomotive & Machine Works at Patterson, New Jersey. It was turned out for duty on the Union Pacific Railroad. Alongside modern diesels it would look like a museum piece now.

SOUTHERN RAILWAY COMPANY has ordered equipment from GRS for the pushbutton, NX (eNtrance-eXit) control of three interlockings at Chattanooga, Tenn.

The project will involve the modification of two existing interlockings and the installation of one new interlocking. The facilities will comprise a total of forty controlled switches within a one-mile area.

The interlocking nearest the control office will be controlled via direct wire; the other two, via the Type K2 code system.

PEORIA & PEKIN UNION RAILWAY has announced plans for the installation of an ACI system.

Plans call for initial installation of nine ACI Rail Scanners multiplexed to three ACI Label Decoding Processors. The ACI processors will connect directly to the P&PU terminal computer, located in their Data Processing Center.

SOUTHERN PACIFIC will begin building a $39 million dollar freight car classification yard this summer. The yard, billed as the most technologically advanced in the world, will be located at West Colton, 50 miles east of Los Angeles.

Work on the fully-computerized hump yard will begin this summer with completion expected by the end of 1973.

It was reported that computers will control the speed, braking and switching of cars and maintain a continuous inventory of all tracks.

Other sophisticated railroad technology to be used at Colton will include electronic scanning devices for automatic car identification and equipment inspection, closed-circuit television and electronic scales to weigh cars while they are moving.

The main bowl of the yard will have 48 classification tracks, with room for 24 more when expansion is needed.

The yard will have a total of 93 miles of track with a capacity for 6,800 freight cars.

ERIE-LACKAWANNA has contracted GRS to install four of their latest design, optically gated, "Wheel Thermo-Scanner Units."

The four ultra-fast hotbox detectors will be installed near Hornell, New York.

LOCAL LODGE NEWS

By, for and about B. of R. S. members

Penn Central

Edison, N.J. (160). On April 19 Local 160 held its regular quarterly meeting at the Railroad Y.M.C.A. in New York.

The following members were present when Chief Signalman S. Tuzeo called the meeting to order: J. Dellinger, C. Ahlert, Jr., J. McCann, F. Bohan, F. Flynn, M. Harrison, J. Schumpp and G. Galbrecht.

While there was a good turnout we would like to see a better attendance at our meetings. There are many things of interest that are taking place at the present time that could be discussed. Many members have rules they would like explained and the continued changes on the Penn Central make them items of great interest.

Several issues were discussed at this meeting and I'm sure all who attended the meeting learned there are many problems facing our members.

The highlight of the meeting was the presentation of B. of R. S. 25-year continuous membership pins by Local Chairman Dellinger to Chief Signalman Tuzeo and Brother F. Bohan.

Pictures of this occasion are in this issue of the Journal.

J. V. Dellinger

Penn Central

Richmond, Ind. (79). A retirement dinner was recently held honoring Brothers C. O. Steinberger, G. C. Seidler, W. R. Jones, L. M. Sorrell and L. O. Philhower.

The dinner was well attended with many retired brothers and signal officers joining in honoring these men.

Among those attending were retired Brothers T. J. Noe, M. L. Harman, G. Hunt, W. E. Loofburrow, R. J. McKee and H. L. Hudelson.

Also attending were: C. B. Jenkins, S. L. Nelson, C. F. Brant, J. B. Shaver, J. A. Mullen, C. L. Brant, L. T. Steele, J. L. Johnson, J. R. Beckman, J. B. Nester, J. E. Fessler, R. G. Hollon, T. A. Hildebrand, D. K. Morton, E. A. Cole, B. E. Warren, W. E. Doner, J. F. Wentzel, R. B. Ledbetter, S. L. Schulz, P. M. Sawyer, M. Johnson, L. E. Reis, M. A. Drudy and J. N. Bales.

Signal officers attending included Supervisors J. J. Canfield, H. D. Perry and C. V. Rogers; Assistant Supervisors L. V. Hillock, T. N. Harris; and retired Office Engineer J. C. Latimer.

It was reported this well attended retirement dinner was one of the most enjoyable dinners ever held by this local.

James R. Beckman

Burlington Northern, Inc.

St. Paul, Minn. (6, 87, 103, 154, 220). A joint meeting of Locals 6-Soo Line, 87-NP (BN), 103-CB&Q (BN), 154-GN (BN), and 220 C.M.St.P.&P., was held at the St. Paul Hilton Hotel in St. Paul, Minn.

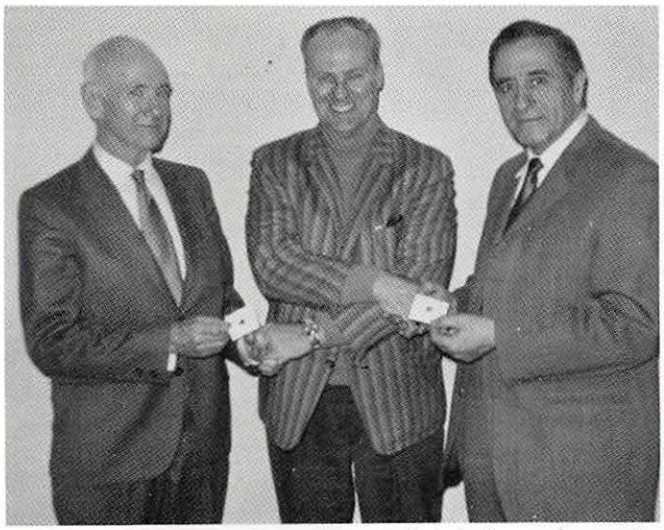
Prior to the joint meeting each local met in the morning to take care of its respective local problems and was visited by Vice President Bass and Trustee W. W. Lauer.

Due to the pending wage and fringe benefit negotiations, President C. J. Chamberlain was unable to attend and Vice President J. T. Bass represented Grand Lodge.

At 1:00 p.m. the locals met and enjoyed a social hour and dinner sponsored by Legal Counsel Eugene Rerat of Minneapolis, Minn.

After a pleasant social hour where many signal problems were resolved, the members present enjoyed a dinner with their host Mr. Rerat, after which Mr. Rerat discussed the FELA and our rights under the act.

The meeting was then turned over to Vice President Bass who discussed the wage and fringe benefit negotiations and other related problems and allowed



Local Chairman J. V. Dellinger, in center, had the honor of presenting a 25-year continuous membership pin to Brother F. Bohan, on the left, and Chief Signalman S. Tuzeo, on the right.

Members who attended Local 160's quarterly meeting on April 19 are as follows: front row, left to right, F. Bohan, Chief Signalman Tuzeo; center row, left to right, Brother F. Flynn, Financial Secretary Charles Ahlert and Brother M. Harrison; rear row, left to right, Brothers J. McCann, G. Galbrecht and J. Schumpp.

The members of Local 79 recently held a retirement dinner honoring, seated left to right: Brothers C. O. Steinberger, G. C. Siedler, W. R. Jones, L. M. Sorrell and L. O. Philhower.

Those attending the dinner, standing, front row, left to right, are: retired Brothers T J. Noe, C. B. Jenkins, Assistant Supervisor L. V. Hillock, Brothers S. L. Nelson, C. F. Brant, J. B. Shaver, J. A. Mullen, retired Brother M. L. Harman, Brother C. L. Brant, retired Brother G. Hunt. Middle row, left to right: Brothers L. T. Steele, J. L. Johnson, J. R. Beckman, retired Brother W. E. Loofburrow, Brothers J. B. Nestor, J. E. Fessler, retired Office Engineer J. C. Latimer, Brothers R. G. Hollon, T. A. Hildebrand, D. K. Morton, E. A. Cole, B. E. Warren, W. E. Doner, retired Brother R. J. McKee, Brother J. F. Wentzel, Brother R. B. Ledbetter, retired Brother H. L. Hudelson. Back row, left to right: Supervisor J. J. Canfield, Supervisor H. D. Perry, Supervisor C. V. Rogers, Assistant Supervisor T. N. Harris, Brothers S. L. Schulz, P. M. Sawyer, M. Johnson, L. E. Reece, M. A. Drudy, and J. N. Bales.

the members present to ask questions concerning the issues at hand.

The meeting was adjourned at 3:30 p.m.

The general chairmen present were: R. F. Richardson-GN, W. A. Class-NP, L. Davies-C.M.St.P.&P., E. Hodson-Soo Line, and W. W. Lauer-CB&Q. Also present were L. Covey of Mr. Rerat's office and the following general secretary-treasurers: H. R. Neihart-CB&Q, P. O. Wiczek-NP, R. L. Peterson-GN, A. F. Neises-C.M.St.P.&P.

W. W. Lauer

Santa Fe Signalman Retires after 46 Years

A recent retiree from the Santa Fe was Brother Howard Baird, a member of Local 172, and a signalman in the relay repair shop, San Bernardino, Calif.

Brother Baird retired with 46 years of railroad service and almost the same amount of time as a member of the Signalmen. He joined Local 8, Brotherhood of Railroad Signalmen, in 1925 and except during the times he was furloughed, he maintained his membership in good order.

Howard began his railroad career as a signal helper on the Union Pacific Railroad in 1924 and was promoted to signalman in 1926. He served as signalman, lead signalman and signal gang foreman until leaving in 1936. In '36 Howard left the Union Pacific to join the Santa Fe as a signal maintainer, a position he held until 1953. He then moved to a position at the signal repair shop in San Bernardino and remained at that position until his retirement. During the period from 1953 to 1971 Howard repaired all types of signal apparatus. His main job was rewinding and repairing transformers.

The officers and members of Local 172 join Brother and Mrs. Baird's many friends in wishing them many years of happy and healthy retirement.

Ed.

B. & O. - W. M.

Cumberland Md. (31). The regular scheduled meeting of Local 31, Western Maryland, was held at the Fort Cumberland Hotel on April 10, with Vice Chairman P. B. Bradfield presiding. There were ten members present.

Several grievances were presented and discussed. General Chairman J. R. McDonald was present and discussed many items of interest. The main topic of the meeting was the present wage negotiations. It seemed as though there was some dissent as to the way it was moving. Everyone seemed to be more satisfied after General Chairman McDonald explained the situation.

The meeting was closed on time and

Brother Howard Baird, a signalman in the Santa Fe's signal repair shop in San Bernardino, Calif. recently retired after 46 years of service. Brother Baird is shown with Mrs. Baird.

Retired Signalman Howard Baird of the Santa Fe's signal repair shop in San Bernardino, Calif. returns to picket his former employer.

was to be followed by the B.&O. meeting.

The regular second quarter meeting of Local 31 was held at the same hotel and was conducted by Chief Signalman B. L. Cowgill. There were four officers and eight members present. General Chairman J. R. McDonald was also present.

There were several grievances presented, discussed, and acted upon. General Chairman J. R. McDonald gave a brief report on the General Chairmen's meeting relative to the wage movement.

The third quarter meeting of Local 31 will be held in Washington, Pa. at the George Washington Hotel, Saturday, July 10, beginning at 12:15 p.m.

Edwin V. Williams

Obituary

LeRoy E. Price, member of Local 50, Penn Central, Harrisburg, Pa., passed away April 4. He was 63.

Brother Lee began his career on the former Pennsylvania Railroad in 1929 as a helper and served 41 years with the company. He was working as a signal maintainer on the Enola Humps when he became ill in September 1970.

The officers and members of Local 50 extend their deepest sympathy to his wife, Ruth; their two daughters, Ruth and Edith; and their son, LeRoy, II.

S. C. Sunday

Melvin R. Flinner, member of Local 2-W, Penn Central, passed away May 3.

"Mel," as he was known to everyone, began service on the Pennsylvania in 1945 and held various maintenance positions, the last being maintainer of tests at Shreve, Ohio.

He served in the Air Force in World War II and was a member of the American Legion.

A heart attack at age 50 removed from our midst a real friend and a real signalman.

Surviving are his wife, Nancy Fae, and four children, to whom the officers and members of Local 2 extend their deepest sympathy. Ed.

Justus M. Douglass, retired member of Local 1, Penn Central, passed away March 23. He was 77.

Brother Douglass was employed on the former middle division prior to and following his appointment as an electrical engineer at Philadelphia. At the time of his retirement in 1961 he was employed as a signal inspector at Altonna, Pa., with 45 years of service.

During his early employment on the Pennsylvania he was a member of the middle division basketball team. This team was managed by one of our retired charter members, Brother D. C. Brubaker.

He is survived by his brother, Carl E. Douglass of Huntingdon, to whom the officers and members of Local 1 extend their sympathy.

R. A. Myers

E. C. Harris, retired member of Local 103, Burlington Northern, Inc., passed away in February.

Brother Harris retired in 1969 with 50 years of service with the Chicago, Burlington & Quincy Railroad. He was presented with a plaque for working 50 years without an accident.

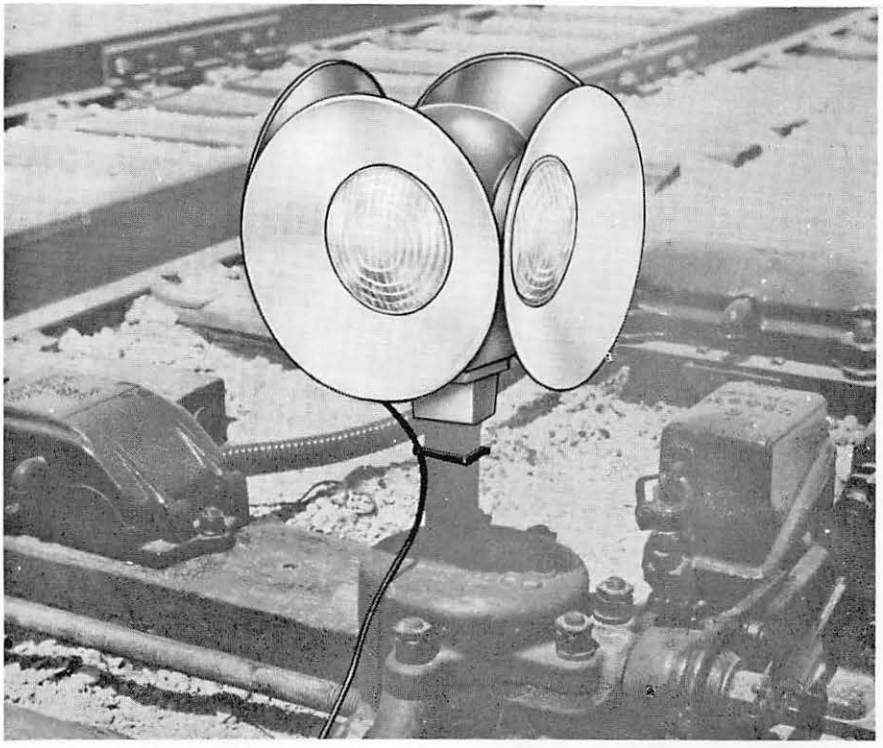
He is survived by his wife, two daughters, and four grandchildren, to whom the officers and members of Local 103 extend their deepest sympathy.

W. W. Lauer

Ray D. Blessing, member of Local 50, Penn Central, Harrisburg, Pa., passed away March 7. He was 41.

Brother Ray started to work on the Penn Central in 1950 as a helper in the construction gang, and was working on the Enola Humps when he retired on disability in February, 1969.

He is survived by his father, C. W. Blessing, to whom the officers and members of Local 50 offer their deepest sympathy. S. C. Sunday



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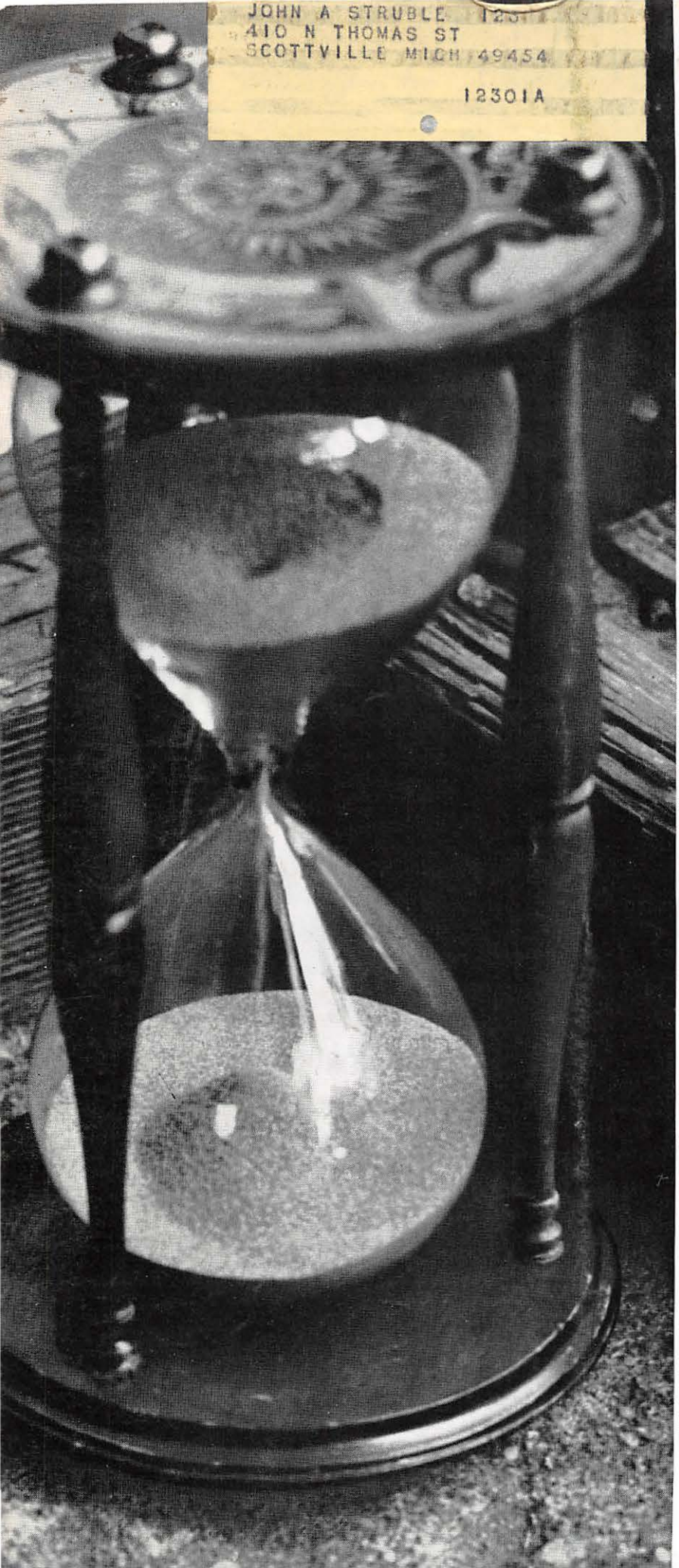

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